

**MINUTES****REGULAR MEETING**

Stephanie Rawlings-Blake, President  
Sheila Dixon, Mayor - **ABSENT**  
Joan M. Pratt, Comptroller and Secretary  
George A. Nilson, City Solicitor  
Donald Huskey, Deputy City Solicitor - **ABSENT**  
David E. Scott, Director of Public Works  
Ben Meli, Deputy Director of Public Works  
Bernice H. Taylor, Deputy Comptroller, and Clerk

The meeting was called to order by the President.

Pursuant to Article VI, Section 1(c) of the revised City Charter effective July 1, 1996, the Honorable Mayor, Sheila Dixon, in her absence during the meeting, designated Mr. Edward J. Gallagher, Director of Finance, to represent the Mayor and exercise her power at this Board meeting.

**MINUTES**Enoch Pratt Free Library - TRANSFER OF LIFE-TO-DATE SICK LEAVE

The Board is requested to approve the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employees.

The transfer of sick leave days is necessary in order for the designated employees to remain in pay status with continued health coverage. The City employees have asked permission to donate the sick leave days that will be transferred from their LIFE-TO-DATE sick leave balances as follows:

1. Employee - Joan Wolk

<u>NAME</u>	<u>DAYS</u>
Kim Leith	5
Jessie J. Jackson	1
Naomi Hafter	<u>1</u>
<b>Total</b>	<b>7</b>

2. Employee - Claude Snowden

Faith J. Blair Edmonds	5
Jeffrie Thomas	5
Carolyn E. Lee	3
Kennard Hopkins	5
Vivian Fisher	3
Eric Thornton	2
Linnette Copeland	2
Terrance J. Thomas	2
Elizabeth Williams	2
Ofelia D. Racelis	<u>1</u>
<b>Total</b>	<b>30</b>

**THE LABOR COMMISSIONER RECOMMENDED APPROVAL.**

UPON MOTION duly made and seconded, the Board approved the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employees.

**MINUTES****CITY COUNCIL BILL:**

09-0392 - An Ordinance concerning Sale of Property - 1630 Aliceanna Street for the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all of its interest in certain property known as 1630 Aliceanna Street (Ward 02, Section 05, Block 1810, Lot 019) and no longer needed for public use; and providing a special effective date.

**ALL REPORTS RECEIVED WERE FAVORABLE.**

UPON MOTION duly made and seconded, the Board approved bill 09-0392, and directed that the bill be returned to the City Council with the recommendation that the bill also be approved and passed by that honorable body. The President **ABSTAINED**.

**MINUTES****OPTIONS/CONDEMNATION/QUICK-TAKES:**

<u>Owner/s</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Housing &amp; Community Development - Options</u>			
1. Albert R. Bowen, Personal Rep. of the Estate of Emma M. Bowen	305 N. Schroeder St.	G/R \$24.00	\$ 160.00
Funds are available in account no. 9910-901780-9588-900000-704040, Poppleton Project.			
2. Arnold Ages and Shoshana Ages, Remainderman	1303 Wirton St.	G/R \$36.00	\$ 300.00
3. Arnold Ages and Shoshana Ages, Remainderman	1307 Wirton St.	G/R \$36.00	\$ 300.00
Funds are available in City Bond funds account no. 9910-904714-9588-900000-704040, Johnston Square Project.			
4. Mary J. Jenkins	1746 E. Preston St.	F/S	\$29,000.00
Funds are available in account no. 9910-906416-9588-900000-704040, East Baltimore Development Initiative, EBDI Phase II. <b>(FILE NO. 56017)</b>			
5. Ark Property Development, LLC	1715 E. Biddle St.	F/S	\$ 8,750.00
6. Ark Property Development, LLC	1729 E. Biddle St.	F/S	\$12,700.00
Funds are available in account no. 9910-906416-9588-900000-704040, EBDI Phase 2G Project. <b>(FILE NO. 56017)</b>			

**MINUTES****OPTIONS/CONDEMNATION/QUICK-TAKES:**

<u>Owner/s</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Options - cont'd</u>			
7. Sang Bong Choi	1008 N. Chester St.	L/H	\$10,203.00

Funds are available in account no. 9910-906416-9588-900000-704040, EBDI Ph 1548 2F Project. **(FILE NO. 56017)**

In the event that the option agreement/s fail/s and settlement cannot be achieved, the Department requests the Board's approval to purchase the interest in the above property/ies by condemnation for an amount equal to or lesser than the option amounts.

**DHCD - Rescission and Re-Approval**

8. City Homes III, Ltd. Partnership	1804 Henneman Ave.	F/S	\$13,200.00
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On October 1, 2008, the Board approved the purchase by condemnation of the fee simple interest in the property known as 1804 Henneman Avenue in the amount of \$12,000.00. An administrative settlement increase of 10% or \$1,200.00 has been added to the purchase. Therefore, the Board is requested to approve the additional 10% and authorize the purchase by option of the fee simple interest.

9. Ethel Burris	1232 N. Gay St.	F/S	\$23,700.00
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On October 1, 2008, the Board approved the purchase by condemnation of the fee simple interest in the property known as 1232 N. Gay Street. The owners have agreed to a voluntary settlement. Therefore, the Board is requested to rescind the condemnation approval and authorize the purchase by option of the fee simple interest in 1232 N. Gay Street in the amount of \$23,700.00.

Funds are available in account no. 9910-907410-9588-900000-704040, East Baltimore Development Initiative, EBDI Phase II. **(FILE NO. 56017)**

**MINUTES****OPTIONS/CONDEMNATION/QUICK-TAKES:**

	<u>Owner/s</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Condemnations</u>				
10.	Joseph M. Beran	2108 E. Madison St.	F/S	\$21,000.00
	Funds are available in State Funds account no. 9910-906416-9588-900000-704040, EBDI Project, Phase II. <b>(FILE NO. 56017)</b>			
11.	Adopt-A-Block, Inc.	1142A, 001	F/S	\$15,000.00
12.	Adopt-A-Block, Inc.	1142A, 042	F/S	\$13,000.00
	Funds are available in City Bond Funds account no. 9910-904714-9588-900000-704040, Johnston Square Project.			
13.	Glenn H. Goldberg & Steven Weinberg	417 E. 23 <sup>rd</sup> St.	F/S	\$26,600.00
	Funds are available in UDAG Funds account no. 9912-910713-9591-900000-704040, Barclay Project.			
14.	Darrell E. Smith	934 N. Chester St.	L/H	\$15,000.00
	Funds are available in State Funds account no. 9910-906416-9588-900000-704040, EBDI Project, Phase II. <b>(FILE NO. 56017)</b>			

**MINUTES****OPTIONS/CONDEMNATION/QUICK-TAKES:**

<u>Owner/s</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Condemnations - cont'd</u>			
<u>Law Department - Settlements</u>			
<u>Prior Owner/s</u>			
15. Shane Green	2804 W. Lanvale St.	F/S	\$53,000.00
<p>On April 30, 2008, the Board approved the acquisition of fee simple interest in 2804 W. Lanvale Street, by condemnation for the amount of \$18,000.00. The property was initially valued at \$18,000.00 from an exterior only inspection. The City requested an updated valuation with an interior inspection which resulted in a valuation of \$65,000.00. The owner valued the property at \$82,500.00. The parties agreed to settle the condemnation suit in the amount of \$71,000.00. The Board is requested to approve an additional \$53,000.00 to settle the condemnation action.</p> <p>Funds are available in account no. 9910-908087-9588-900000-707044.</p>			
16. A.H.H.N. Corp.	903 N. Madeira St.	L/H	\$ 2,664.00
<p>On June 25, 2008, the Board approved the acquisition of the leasehold interest in 903 N. Madeira Street, by condemnation in the amount of \$26,640.00, based upon the highest appraisal obtained by the City. The parties agreed to settle the condemnation suit for \$29,304.00, which is 10% above the City's highest appraisal. The Board is requested</p>			

**MINUTES****OPTIONS/CONDEMNATION/QUICK-TAKES:**

<u>Owner/s</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Law Department - Settlements - cont'd</u>			
			to approve an additional \$2,664.00 to settle the condemnation action.
			Funds are available in account no. 9910-907420-9588-900000-704040.
			UPON MOTION duly made and seconded, the Board approved the options, rescissions and re-approvals, condemnations, and settlements.

**MINUTES**

Department of Housing and                    - Acceptance of Property Donation  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve acceptance of the property located at 1600 Darley Avenue as a gift from Ms. Lisa Turner, SUBJECT to any outstanding municipal liens other than current water bills.

**AMOUNT OF MONEY AND SOURCE:**

Ms. Turner agrees to pay for any title work and all associated settlement cost, not to exceed \$600.00. No City funds will be expended.

**BACKGROUND/EXPLANATION:**

Ms. Turner will donate her title to the property located at 1600 Darley Avenue to the City. The City will receive clear and marketable title to the property, SUBJECT only to certain City liens. Ms. Turner will pay all current water bills up through the date of settlement. Accepting this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain. The liens total approximately \$147,788.27.

**Cumulative Real Property Taxes 2000-2009**

\$ 1,124.50	- Total Tax
501.82	- Interest/Penalties
265.74	- Other
109,818.27	- Tax Sale Interest
34,295.35	- Miscellaneous
1,381.37	- Metered Water (Tax Sale)
401.22	- Footway Paving Bill
<b>\$147,788.27</b>	<b>- Total Municipal Liens</b>

These municipal liens, other than current water bills, will be administratively abated after settlement.

**MINUTES**

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved acceptance of the property located at 1600 Darley Avenue as a gift from Ms. Lisa Turner, SUBJECT to any outstanding municipal liens other than current water bills.

**MINUTES****BOARDS AND COMMISSIONS**1. Prequalification of Contractors

In accordance with the Rules for Qualification of Contractors, as amended by the Board on October 30, 1991, the following contractors are recommended:

AM-Liner East, Inc.	\$ 31,527,000.00
Abel Construction Co., Inc.	\$ 23,680,000.00
Annapolis Energy, LLC.	\$ 603,000.00
B.W.S. Industries, Inc.	\$ 1,500,000.00
Baltimore Contractors, Inc.	\$ 4,995,000.00
Cleo Enterprises, Inc.	\$ 528,000.00
Community Solutions, LLC.	\$ 315,000.00
Hawkins Utilities, LLC.	\$ 171,000.00
LAI Construction Services, Inc.	\$ 31,977,000.00
Maxmore-Hill Restoration, Inc.	\$ 8,000,000.00
Micon Construction, Inc.	\$ 6,561,000.00
Millennium Communications Group, Inc.	\$ 8,000,000.00
Montgomery Mechanical Services, Inc.	\$ 8,000,000.00
Nationwide Electrical Services, Inc.	\$ 4,194,000.00
G.H. Nitzel, Inc.	\$ 8,000,000.00
Paras Painting Contractors, Inc.	\$ 540,000.00
E.T. Pigatt Enterprise, LLC.	\$ 459,000.00
Project Development Group, Inc.	\$189,513,000.00
Prospect Waterproofing Company	\$ 14,373,000.00
Simpson of Maryland, Inc.	\$ 8,000,000.00
Trijay Systems, Inc.	\$ 8,000,000.00

2. Prequalification of Architects and Engineers

In accordance with the Resolution Relating to Architectural and Engineering Services, as amended by the Board on June 29, 1994, the Office of Boards and Commissions recommends the approval of the prequalification for the following firms:

**MINUTES****BOARDS AND COMMISSIONS** - cont'd

BLV Engineering Associates, Inc.	Engineer
The Louis Berger Group, Inc.	Architect
	Engineer
Capital Construction Consultants, Inc.	Engineer
KANN Partners	Architect
Steven Winter Design, Inc.	Architect
	Engineer

There being no objections, the Board, UPON MOTION duly made and seconded, approved the prequalification of contractors and architects and engineers for the listed firms.

**MINUTES**

Department of Public Works (DPW) - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Property Exchange and Lot Line Adjustment Agreement with Mr. Todd B. Garliss, Jr. The agreement is effective upon Board approval.

**AMOUNT OF MONEY AND SOURCE:**

\$65,000.00 - 2071-000000-5520-508004-402350

**BACKGROUND/EXPLANATION:**

The property exchange and lot line adjustment agreement which will allow the transfer of City property to Mr. Garliss was authorized by Ordinance 09-239 and approved by the City Council and signed by the Mayor on November 4, 2009.

In 2003, Mr. Garliss constructed a house on a parcel of land located in Baltimore County identified as 13910 Poplar Hill Road. He believed the property belonged to him. In 2005, he listed the house and had a buyer for the property but the deal fell through when the title search revealed that there was a potential trespass onto the adjoining City watershed land. This issue was brought to the City's attention by Mr. Garliss' attorney and an easement was requested over the parts of the road that Mr. Garliss believed trespassed onto City property.

For the purposes of determining the exact location of City property boundaries, the City ordered a full survey and discovered that the entire house and most of the road leading up to the house was on City property and that Mr. Garliss' parcel was located next to the City's parcel and was of roughly the same size and shape.

**MINUTES**

DPW - cont'd

Rather than pursue a lengthy court action for trespass, the City entered into negotiations with Mr. Garliss to resolve the conflict over the respective parties' land rights. Keeping in mind resolutions to similar trespass disputes in the courts of Maryland, the City reached an agreement with Mr. Garliss in which Mr. Garliss agreed to deed to City his four-acre parcel in exchange for three acres of City watershed property and pay to the City \$65,000.00 to compensate for the use of City land during the intervening years.

Mr. Garliss also agreed to place a conservation easement over the portion of his new, former City, parcel not utilized for structures of the driveway and a temporary easement over the driveway in favor of the City for use by the DPW until an alternate service road can be prepared.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Property Exchange and Lot Line Adjustment Agreement with Mr. Todd B. Garliss, Jr.

**MINUTES****TRANSFER OF FUNDS**

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UPON MOTION duly made and seconded,

the Board approved the

transfers of funds

listed on the following pages:

4304 - 4308

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

**MINUTES****TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation</u>		
1. \$ 2,974.84	9911-904982-9600	9910-902879-9601
M&CC	Constr. Reserve	Coml.
	Coml.	Revitalization
	Revitalization	
	Program	
255.00	9910-903354-9600	9910-904354-9601
M&CC	Constr. Reserve	W. Balto. Ind. &
	W. Balto. Ind. &	Coml. Dev.
	Coml. Dev.	
796.59	9910-904115-9600	9910-905825-9603
M&CC	Constr. Reserve	West Side Downtown
	West Side	
	Initiative	
<b><u>\$ 4,026.43</u></b>		

This transfer will provide funds for the outstanding water meter charges and abandonment fees for the following City-owned properties:

<u>Account No.</u>	<u>Address</u>	<u>Amount</u>
2299418000	4713-19 Gwynn Oak Avenue	\$435.00
2299422002	4729 Gwynn Oak Avenue	312.88
2299912002	3404 Hillsdale Road	255.00
2299909008	4607 Maine Avenue	492.09
2299905006	4606 Maine Avenue	304.83
6181770006	441 N. Gay Street	485.04
6181810000	505-07 N. Gay Street	435.00
6181771004	443-47 N. Gay Street	255.00
		<b><u>\$2,974.84</u></b>
2157798006	1923-44 Herbert Street	<u>\$255.00</u>
		<b><u>\$255.00</u></b>
9255644008	210 W. Lexington St.	\$588.81
2150203004	101-03 N. Howard St.	<u>207.78</u>
		<b><u>\$796.59</u></b>

**MINUTES****TRANSFER OF FUNDS**

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation - cont'd</u>			
2.	<b>\$2,775,000.00</b>	9910-904115-9600	9910-905825-9601
	State - Other	Constr. Res.	West Side
		West Side	Downtown
		Initiative	

The transfer will provide funds for the condemnation/quick-take of the fee simple interest of the property known as 206 West Fayette Street for the West Side Redevelopment Project in the Market Center Urban Renewal Area.

3.	<b>\$ 330,500.00</b>	9910-904115-9600	9910-905825-9601
	State - Other	Constr. Res.	West Side
		West Side	Downtown
		Initiative	

The transfer will provide funds for the condemnation/quick-take of the leasehold interest of the property known as 224 West Fayette Street for the West Side Redevelopment Project in the Market Center Urban Renewal Area.

4.	<b>\$ 930,000.00</b>	9910-904115-9600	9910-905825-9601
	State - Other	Constr. Res.	West Side
		West Side	Downtown
		Initiative	

The transfer will provide funds for the condemnation/quick-take of the fee simple interest of the property known as 105 - 107 North Howard Street and 228 West Fayette Street for the West Side Redevelopment Project in the Market Center Urban Renewal Area.

5.	<b>\$1,030,000.00</b>	9910-904115-9600	9910-905825-9601
	State - Other	Constr. Res.	West Side
		West Side	Downtown
		Initiative	

The transfer will provide funds for the condemnation/quick-take of the fee simple interest of the property known as 109 - 111 North Howard Street for the West Side Redevelopment Project in the Market Center Urban Renewal Area.

**MINUTES****TRANSFER OF FUNDS**

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation - cont'd</u>			
6.	<b>\$ 650,000.00</b>	9910-904115-9600	9910-905825-9601
	State - Other	Constr. Res.	West Side
		West Side	Downtown
		Initiative	

The transfer will provide funds for the condemnation/quick-take of the fee simple interest of the property known as 113 North Howard Street for the West Side Redevelopment Project in the Market Center Urban Renewal Area.

7.	<b>\$3,497,000.00</b>	9910-904115-9600	9910-905825-9601
	State - Other	Constr. Res.	West Side
		West Side	Downtown
		Initiative	

The transfer will provide funds for the condemnation/quick-take of the fee simple interest of the property known as 201 - 213 West Lexington Street for the West Side Redevelopment Project in the Market Center Urban Renewal Area.

8.	<b>\$1,726,000.00</b>	9910-904115-9600	9910-905825-9601
	State - Other	Constr. Res.	West Side
		West Side	Downtown
		Initiative	

The transfer will provide funds for the condemnation/quick-take of the fee simple interest of the properties known as 217 - 219 West Lexington Street for the West Side Redevelopment Project in the Market Center Urban Renewal Area.

**MINUTES****TRANSFER OF FUNDS**

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation - cont'd</u>			
9.	<b>\$ 420,000.00</b>	9910-904115-9600	9910-905825-9601
	State - Other	Constr. Res.	West Side
		West Side	Downtown
		Initiative	

The transfer will provide funds for the condemnation/quick-take of the fee simple interest of the properties known as 104 - 106 North Liberty Street for the West Side Redevelopment Project in the Market Center Urban Renewal Area.

10.	<b>\$ 190,000.00</b>	9910-904115-9600	9910-905825-9601
	State - Other	Constr. Res.	West Side
		West Side	Downtown
		Initiative	

The transfer will provide funds for the condemnation/quick-take of the fee simple interest of the property known as 119 Park Avenue for the West Side Redevelopment Project in the Market Center Urban Renewal Area.

11.	<b>\$ 138,600.00</b>	9910-904115-9600	9910-905825-9601
	State - Other	Constr. Res.	West Side
		West Side	Downtown
		Initiative	

The transfer will provide funds for the condemnation/quick-take of the fee simple interest of the property known as 221 Marion Street for the West Side Redevelopment Project in the Market Center Urban Renewal Area.

**MINUTES****TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Housing and Community Development</u>		
12. <b>\$1,250,000.00</b> 28 <sup>th</sup> CDB	9910-906979-9587- 655700-600000 East Baltimore	9910-904415-9588- 900000-700000 East Baltimore

The transfer will provide funds for costs associated with acquisition/relocation activities for the East Baltimore Development Initiative.

13.   \$1,675,000.00 State - Other	9911-942001-9587- 900000-700000 Constr. Res.	9910-919100-9588 900000-700000 Neighborhood Stabilization
4,112,239.00 Federal	9910-907994-9587- 900000-700000 Special Capital Projects	9910-910099-9588 900000-700000 Neighborhood Stabilization
<b><u>\$5,787,239.00</u></b>		

The transfer will provide funds for the Neighborhood Stabilization Program to renovate abandoned and foreclosed properties for low-income households.

Bureau of Water and Wastewater

14. <b>\$ 175,000.00</b> MVR	9958-906311-9526 Constr. Res. Herring Run Pollution Control	9958-903140-9525-3 Engineering
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These funds are needed for the consultant to track permits and water quality data. The consultant will outline a comprehensive database management system.

**MINUTES**Department of General Services (DGS) - Developers' Agreements

The Board is requested to approve and authorize execution of the various developers' agreements.

	<u>DEVELOPER</u>	<u>NO.</u>	<u>AMOUNT</u>
1.	<b>HELPING UP MISSION, INC.</b>	<b>1137</b>	<b>\$ 35,658.00</b>

The organization needs to install new storm water service, to their renovated offices located in the vicinity of 1029 East Baltimore Street. This agreement will allow the organization to do its own installation in accordance with Baltimore City Standards.

A Performance Bond in the amount of \$35,658.00 has been issued to Helping Up Mission, Inc., which assumes 100% of the financial responsibility.

2.	<b>UMB HEALTH SCIENCES RESEARCH PARK CORPORATION</b>	<b>885A</b>	<b>\$498,357.00</b>
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The organization needs to install new conduit and street lighting to its proposed construction located in the vicinity of the 800 and 900 blocks of West Fairmount Avenue and the unit block of South Amity Street. This agreement will allow the organization to do its own installation in accordance with Baltimore City Standards.

An Irrevocable Letter of Credit in the amount of \$498,357.00 has been issued to the UMB Health Sciences Research Park Corporation, which assumes 100% of the financial responsibility.

**MINUTES**

Department of General Services - cont'd

**MBE/WBE PARTICIPATION:**

City funds will not be utilized for the projects, therefore, MBE/WBE participation is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the various developers' agreements.

**MINUTES**Department of General Services (DGS) - Minor Privilege Permit Applications

The Board is requested to approve the following applications for a Minor Privilege Permit. The applications are in order as to the Minor Privilege Regulations of the Board and the Building Regulations of Baltimore City.

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1. 3729 Eastern Ave.	Panaderia Ramos Limited Liability Company	Retain one bracket sign 3' x 1½', one flat sign 12½' x 2'
Annual Charge: \$149.43		
2. 212 E. Lexington St.	Edward K. Gerner, Jr.	Retain dumpster 7' x 5'
Annual Charge: \$490.00		
3. 20-22 E. Fayette St.	Pentagon Investment Group, LLC	Egress stairway 20'6" x 3'8"
Annual Charge: \$234.40		
4. 1011 Light St.	1011 Light Street, LLC	One awning 43.75' x 6', six fluorescent tubes
Annual Charge: \$762.45		
5. 508 Washington Blvd.	Washington Boulevard Associates, LLC	Two single face electric signs 12' x 2'
Annual Charge: \$70.30		

**MINUTES**DGS - cont'd

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
6. 868 Park Ave.	RWN Brexton Hotel, LLC	Handicap ramp 26' x 8'
Annual Charge: \$70.30		
7. 36 E. Cross St.	Pelion, L.L.C.	Outdoor seating 28' x 4'
Annual Charge: \$1,374.63		

There are no objections, since no protests were received.

There being no objections, the Board, UPON MOTION duly made and seconded, approved the minor privilege permits.

**MINUTES**

Department of General Services - Right-of-Entry Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a right-of-entry agreement with the Johns Hopkins University.

**AMOUNT OF MONEY AND SOURCE:**

This Right-of-Entry is being granted to the City at no cost.

**BACKGROUND/EXPLANATION:**

The City is proposing the removal and replacement of a sanitary connection located at 200 Wyman Park Drive on the Johns Hopkins University property as part of Sanitary Contract No. 839RR. The right-of-entry will allow the City's contractor to enter on to the Johns Hopkins University property to complete the construction.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the right-of-entry agreement with the Johns Hopkins University.

**MINUTES**

Mayor's Office of Employment Development - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Elliott Dredges, LLC. The period of the agreement is November 9, 2009 through December 31, 2009.

**AMOUNT OF MONEY AND SOURCE:**

\$6,327.50 - 4000-805310-6310-671805-603051

**BACKGROUND/EXPLANATION:**

Elliott Dredges, LLC will provide 64 hours of training for 20 incumbent employees of Elliott Dredges, LLC through an initiative known as Maryland Business Works.

The incumbent employees will receive hydraulic and Microsoft Training. The amount of this agreement will not exceed \$6,327.50 of federal funds. This cost represents 50% of the total cost of training.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Elliott Dredges, LLC.

**MINUTES**

Mayors Office of Employment Development - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Baltimore City Community College (BCCC). The period of the agreement is October 14, 2009 through June 30, 2010.

**AMOUNT OF MONEY AND SOURCE:**

\$ 5,000.00	-	6000-601510-6390-497405-603051
9,700.00	-	4000-806410-6310-467105-603051
<u>\$14,700.00</u>		

**BACKGROUND/EXPLANATION:**

The BCCC provider will provide computer aided instruction leading to a Griggs International Academy Diploma for 12 participants using the NOVEL instructional program.

The BCCC, for a flat fee, will also provide password access to the License for the NOVEL instructional program, and other supportive services for the Career Academy at Harbor City.

The agreement is supported by Federal and the Weinberg Foundation funds and will not exceed \$14,700.00.

The agreement was delayed in its presentation because of negotiations with the vendor.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**MINUTES**

Mayors Office of Employment Development - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Baltimore City Community College. Acting on behalf of the Honorable Mayor, Sheila Dixon, in her absence, Mr. Edward J. Gallagher, Director of Finance **ABSTAINED**.

**MINUTES**

Office of the Mayor - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an expenditure of funds to pay Mr. Eric Gordon.

**AMOUNT OF MONEY AND SOURCE:**

\$5,700.00 - 1001-000000-1220-147200-603026

**BACKGROUND/EXPLANATION:**

On May 30, 2007 the Board approved a contract with Mr. Gordon to conserve three mayoral portraits. Restoration of Mayor Brady's portrait required more extensive work than originally expected under the prior contract. Mr. Gordon will complete restoration of Mayor Brady's mayoral portrait.

**APPROVED FOR FUNDS BY FINANCE****AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized an expenditure of funds to pay Mr. Eric Gordon. Acting on behalf of the Honorable Mayor, Sheila Dixon, in her absence, Mr. Edward J. Gallagher, Director of Finance **ABSTAINED**.

**MINUTES**

Department of Recreation and Parks - Grant Award

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize a grant award to the Maryland Ravens Disability Awareness Program, Inc.

**AMOUNT OF MONEY AND SOURCE:**

\$7,000.00 - 1001-000000-4800-372124-607001

**BACKGROUND/EXPLANATION:**

Twenty years ago, the Department made a commitment to create recreational opportunities for Baltimore's children and young adults with disabilities. Since then, the Maryland Ravens Disability Awareness Program, Inc. has created hundreds of opportunities for disabled individuals to actively participate in adapted/wheelchair sports, including basketball, softball, tennis, and bocce. The Recreation and Parks Metro' Wheelchair Basketball League, which is in its 17<sup>th</sup> year, is one example of programs supported by the Maryland Ravens.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized the grant award to the Maryland Ravens Disability Awareness Program, Inc.

**MINUTES**

Commission on Aging - Budget Account Correction  
and Retirement Education

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the correction of the budget account number initially submitted for the Notification of a Grant Award (NGA) from the Maryland Department of Aging (MDoA) for the American Recovery and Reinvestment Act (ARRA) nutrition programs funding. The period of the NGA is May 15, 2009 through September 30, 2010.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On August 12, 2009 the Board approved the acceptance of the AARA grant award in the amount of \$397,661.00. The request was submitted with an incorrect account number of 4000-493410-3250-656900-404001. The correct account number is 4000-493410-5750-656900-401001.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized the correction of the budget account number initially submitted for the Notification of a Grant Award from the Maryland Department of Aging for the American Recovery and Reinvestment Act nutrition programs funding.

**MINUTES**Health Department - Agreements and a Memorandum of Understanding

The Board is requested to approve and authorize execution of the various agreements and a memorandum of understanding. The period of the agreement is July 1, 2009 through June 30, 2010, unless otherwise indicated.

AGREEMENTS

1. **NORTHWEST BALTIMORE YOUTH SERVICES, INC.** **\$ 52,887.00**

Account: 5000-525710-3100-207106-603051

The organization will provide counseling and age appropriate substance abuse prevention and treatment activities designed for students in grades 9 through 12. In addition, the organization will develop and implement group prevention and treatment activities for students identified as high risk at the following school-based health centers: KIPP Ujima Village Academy Elementary/Middle School, Maryland Academy of Technology and Health Sciences Middle/High, and Civitas Middle/High, which are schools located on the former Dr. Roland N. Patterson campus.

The agreement is late because it was awarded late in the funding period.

2. **BALTIMORE SUBSTANCE ABUSE SYSTEMS, INC.** **\$341,249.00**

Account: 4000-421910-3040-276901-603051

The organization will provide substance abuse treatment to implement HIV prevention, testing, counseling, education and referral to treatment. The primary goal is to identify persons who are HIV infected or at risk for infection earlier and to guide them to the necessary interventions.

The agreement is late because of a late budget submission.

**MWBOO GRANTED A WAIVER.**

**MINUTES**Health Department - cont'd

3. **UNIVERSAL COUNSELING SERVICES, INC.** **\$ 75,650.00**

Account: 5000-525710-3100-296900-603051

The organization will provide a full-time Social Worker/Mental Health Clinician to provide mental health services in the Harford Heights School-Based Health Center (SBHC), Harford Heights Elementary (PS # 037) and William C. March Middle (PS # 263) and a full-time Social Worker/Mental Health Clinician to provide mental health services to Northwestern High School SBHC.

The Agreement is late because it was just finalized.

**MWBOO GRANTED A WAIVER.**

4. **THE AFTER-SCHOOL INSTITUTE, INC.** **\$ 60,000.00**

Account: 4000-424210-3030-273115-603051

The organization will provide HIV health education and risk reduction to African American youth. The organization will increase awareness knowledge, risk-reduction measures, and change in behavior that leads to the prevention of new HIV infections among African American youth in the City.

The agreement is late because it was received late in the grant year.

**MWBOO GRANTED A WAIVER.**

5. **TOTAL HEALTH CARE, INC.** **\$ 72,188.00**  
**INC.**

Account: 4000-424510-3040-2769932-603051

The organization will provide targeted case management services that are designed to meet the specialized needs of HIV positive individuals transitioning from correction facilities. A Re-entry plan is developed prior to the inmates release and includes linkages to medical care, substance abuse treatment, mental health, financial assistance, public entitlements, transportation assistance, employment and vocational services.

**MINUTES**Health Department - cont'd

The agreement is late because the State AIDS Administration programmatically manages all Ryan White Part B services. Providers are selected through the Request for Proposal process. The Department prepares the agreements after receipt of an approved budget and scope of services and processes payments following approval.

**MWBOO GRANTED A WAIVER.**

6. **MEDSTAR HEALTH, INC. (MEDSTAR)** **\$ 25,000.00**

Account: 6000-629010-3100-296900-406001

The organization will donate physician services and provide funding for a part-time Nurse Practitioner (NP) for the School-based Health Centers as part of its community service. The 0.1 Pediatrician/Family Practice Physician will serve as a NP Preceptor and see patients. MedStar will designate and provide a substitute Pediatrician/Family Practice Physician in the event that the Pediatrician/Family Practice Physician assigned to the School-Based Health Center is not available, and provide funding in the minimum amount of \$25,000.00 for a 0.5 FTE NP during the school year and 1 full day per week during the summer. The period of the agreement is September 1, 2009 through August 31, 2010.

The agreement is late because it was just finalized.

7. **MARYLAND TREATMENT CENTERS, INC.** **\$100,581.00**

Account: 5000-525710-3100-296900-603051

The organization will provide one full-time substance abuse counselor and a part-time supervisor to provide substance abuse prevention and treatment services at the Lake Clifton campus: Heritage High, Doris Johnson High and The Reach Middle and High School.

The agreement is late because budget negotiations delayed processing.

**MWBOO GRANTED A WAIVER.**

**MINUTES**

Health Dept. - cont'd

8. **HARBEL COMMUNITY ORGANIZATION, INC.** **\$ 50,000.00**

Account: 5000-525710-3100-296900-603051

The organization will provide one full-time Substance Abuse Counselor and a part-time Supervisor for the Maritime Industries Academy High School-Based Health Center. These individuals will develop age appropriate substance abuse prevention and treatment activities that are designed for students in grades 9 through 12.

The agreement is late because it was awarded late in the funding period and just finalized.

**MWBOO GRANTED A WAIVER.**

9. **THE JOHNS HOPKINS UNIVERSITY** **\$643,465.00**

Account: 4000-427709-3040-278110-603051

The organization will serve underserved minority and hard-to-reach populations; in particular, youth, persons over 50, intravenous drug users and other substance users, newly released prisoners, homeless persons, and men having sex with men. Services will include mental health/substance abuse history and diagnostic assessment, individual psychotherapy, safety risk assessments and referrals, regular substance abuse screening, substance abuse treatment and relapse prevention counseling.

The agreement is late because the request was received late in the grant year.

**MWBOO GRANTED A WAIVER.**

**MINUTES**Health Dept. - cont'd**10. TOTAL HEALTH CARE, INC. \$ 70,333.00**

Account: 4000-424510-3040-276910-603051

Total Health Care, Inc. will conduct site, specific outreach services to identify 75 men and women currently not receiving HIV Primary Care services. Outreach services will be provided at the Baltimore City Correctional Center, Baltimore Pre-Release Unit, Jessup Pre-Release Unit, Baltimore Pre-Release Unit for Women, Sinai Hospital, Baltimore Behavioral Health and a list of substance abuse providers. An outreach worker and outreach coordinator will work to link clients to primary medical care, pharmacy assistance programs, transitional and regular case management, and HIV Prevention Education and Treatment Readiness Services.

The agreement is late because the State AIDS Administration programmatically manages all Ryan White Part B services. Providers are selected through the Request for Proposal process. The Department is responsible for preparing the agreement after the selection process is concluded.

**11. UNIVERSITY OF MARYLAND, BALTIMORE \$ 98,212.00  
(UMB)**

Account: 4000-427110-3080-294393-603051

The UMB will administer services for the PRemature Infant Development and Enrichment (PRIDE) Program. The PRIDE Program is a collaborative endeavor between the Division of Neonatology at the UMB and the Baltimore Infants and Toddlers Program (BITP). The UMB will provide services that will include identification, evaluation, and service coordination for infants in the Neonatal Intensive Care Unit (NICU) and the NICU Follow-Up Clinic, who are eligible to receive early intervention services through the BITP.

**MINUTES**Health Department - cont'd

The agreement is late because budget concerns delayed processing of the agreement.

**MWBOO GRANTED A WAIVER.**

12. **MARYLAND DEPARTMENT OF THE ENVIRONMENT** **\$258,250.00**  
**(MDE)**

Account: 4000-426010-3050-283300-600000

The Department has received funds from the MDE through the Centers for Disease Control to conduct Childhood Lead Poisoning Prevention activities. Under the terms of this agreement, the Department will perform case management, environmental investigations, early intervention, and primary intervention. In addition, the Department will perform coordination with State and local agencies, Medicaid reimbursement, data management, and evaluations.

The agreement is late because it is prepared by the MDE and was recently finalized.

**MWBOO GRANTED A WAIVER.**

13. **EMPOWERING NEW CONCEPTS, INC.** **\$ 63,550.00**

Account: 4000-418710-3030-273135-603051

Empowering New Concepts, Inc. will administer services under the D-UP - Defend Yourself Project (D-Up). This project will allow the organization to prevent new HIV infections among African American Men Having Sex with Men (MSM) in Baltimore City. The D-UP - Defend Yourself Project is a community-level intervention that attempts to change social norms and perceptions of African American MSM. The D-Up utilizes individuals called Opinion Leaders, who are respected and trusted by their peers, to promote the

**MINUTES**Health Department - cont'd

benefits of consistent condom use. This project will also help MSM to increase their feelings of positive self-worth among their friends and acquaintances.

The agreement is late because the funds were received late in the grant year.

**MWBOO GRANTED A WAIVER.**

14. **HEALTH CARE FOR THE HOMELESS, INC.** **\$664,582.00**

Account: 5000-523010-3110-307500-603051

The organization will provide primary health care services for homeless persons through its clinic outreach programs in the Greater Baltimore area.

The agreement is late because it was recently completed.

**MWBOO GRANTED A WAIVER.**

15. **WENDY SHIELDS** **\$16,005.00**

Account: 6000-621808-3050-282900-603050

Ms. Shields, a consultant, will provide services in the area of healthy homes program analysis and development for the Baltimore City Lead Abatement Action Program. She will be responsible for coordinating and writing grant proposals to expand funds to reduce home injury risks, particularly those that threaten elderly, disabled or other vulnerable populations. She will advise the Healthy Home Division on new opportunities for federal, state or private funding. She will provide consultation on injury prevention evaluation methods and instruments by using research and best practices. She will also provide quarterly progress reports on completed work and documentation of all time and tasks billed to this contract. The period of the agreement is September 1, 2009 through August 31, 2010.

**MINUTES**

Health Department - cont'd

MEMORANDUM OF UNDERSTANDING (MOU)

16. **THE MARYLAND DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, DIVISION OF PAROLE AND PROBATION** **\$590,000.00**

Account: 5000-531110-3070-518500-603051

This MOU provides specifically designated funding to be allocated to the Baltimore Substance Abuse Systems, Inc. (BSAS). BSAS will use the funds to hire alcohol and drug abuse treatment providers for the Intensive Outpatient Substance Abuse Treatment Project to deliver substance abuse treatment services to drug involved criminal offenders.

The MOU is late because revisions delayed the processing.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the various agreements and the memorandum of understanding. The President **ABSTAINED** on item Nos. 2 and 16. Acting on behalf of the Honorable Mayor, Sheila Dixon, in her absence, Mr. Edward J. Gallagher, Director of Finance **ABSTAINED** on item No. 10.

**MINUTES**

Health Department - Request for Proposals

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Request for Proposals (RFP) for Ryan White Part B Program for State Fiscal Year 2011, July 1, 2010 through June 30, 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$1,425,291.00 - Outpatient/Ambulatory Medical Care  
    968,933.00 - Medical Case Management  
**\$2,394,224.00** - 4000-424511-3040-278100-404001

The Department will be notified of funding available for Maryland State FY 2011 when U.S. Department of Health and Human Services, Health Resources and Services Administration notifies the State of Maryland.

**BACKGROUND/EXPLANATION:**

Funding levels in the RFP reflect State Fiscal Year (SFY) 2009 levels may be adjusted for the actual award. The availability of all funds is contingent upon the amount of Federal funds available to the State of Maryland under Part B for SFY 2011.

Part B of the Ryan White Act provides formula-based financial assistance to states and territories to improve the quality, availability and organization of health care and support services for individuals and families with HIV infection. The funds are intended to assist in developing and enhancing access to a comprehensive continuum of high quality, community-based care for low-income individuals and families with HIV disease.

Approval of this RFP will allow the Health Department, in conjunction with the Maryland Department of Health and Mental

**MINUTES**Health Department - cont'd

Hygiene, Infectious Disease and Environmental Health Administration, to establish the application process and ensure fair and equitable distribution of funds to the receiving organizations.

These organizations will submit proposals and bids for funding to provide services delineated under the RFP's various services categories: Ambulatory Outpatient/Ambulatory Medical Care, Medical Case Management (including Treatment Adherence), and Treatment Adherence Counseling. These services will benefit the needs of individuals with HIV and AIDS related conditions in Baltimore City for the State Fiscal Year 2011.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved the Request for Proposals for the Ryan White Part B Program for State Fiscal Year 2011, July 1, 2010 through June 30, 2011.

**MINUTES**

Health Department - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an expenditure of funds to pay Dependable Nursing Services, LLC for services provided from June 1, 2009 through June 30, 2009.

**AMOUNT OF MONEY AND SOURCE:**

\$31,670.19 - 6000-624909-3100-297100-603051

**BACKGROUND/EXPLANATION:**

On July 2, 2008, the Board approved the original agreement for \$500,000.00 for the term of July 1, 2008 through June 30, 2009. On June 3, 2009 the Board approved an amendment for \$185,000.00.

During June 2009, additional charges were incurred, but it was too late to amend the agreement again.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized the expenditure of funds to pay Dependable Nursing Services, LLC for services provided from June 1, 2009 through June 30, 2009.

**MINUTES**Health Department - Unified Funding Document**ACTION REQUESTED OF B/E:**

The Board is requested to approve acceptance of the unified funding document from the State of Maryland Department of Health and Mental Hygiene for the period ending August 31, 2009.

**AMOUNT OF MONEY AND SOURCE:**

<b><u>GRANT DESCRIPTION</u></b>	<b><u>TYPE OF ACTION</u></b>	<b><u>AMOUNT OF ACTION</u></b>	<b><u>TOTAL AWARD</u></b>
<b><u>CH5800IP</u></b>			
Children Oral Health and Fluoride	Supplement	\$47,002.00	\$ 47,002.00

Account: 5000-530610-3030-271900-000000

**CH586TPG**

Tobacco Use Community Based	New	\$88,394.00	\$ 88,394.00
Tobacco Use School Based	New	\$30,458.00	\$ 30,458.00
Tobacco Use Enforcement	New	\$50,988.00	\$ 50,988.00
Tobacco Use Cessation	New	\$87,697.00	\$ 87,697.00
Tobacco Use Admin.	New	\$18,028.00	\$ 18,028.00

Account: 5000-530310-3040-278900-000000

**FH892IPO**

Improved Pregnancy Outcome	Correction	(\$ 1.00)	\$1,994,067.00
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Account: 4000-422810-3080-294200-000000

**MINUTES**Health Department - cont'd

As the fiscal year progresses, supplements, modifications, and/or reductions will be processed through the granting administrations with revised unified funding awards being issued. The most current unified funding document will be the official award of record.

The unified funding document is late because the Department recently received it.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.**

UPON MOTION duly made and seconded, the Board approved acceptance of the unified funding document from the State of Maryland Department of Health and Mental Hygiene for the period ending August 31, 2009.

**MINUTES****EXTRA WORK ORDERS AND TRANSFERS OF FUNDS**

\* \* \* \* \*

UPON MOTION duly made and seconded,  
the Board approved the  
Extra Work Orders and Transfers of Funds  
listed on the following pages:

4334 - 4337

All of the EWOs have been reviewed and approved  
by the Department of Audits, CORC, and MWBOO,  
unless otherwise indicated.

The Transfers of Funds were approved  
subject to receipt of favorable reports  
from the Planning Commission,  
the Director of Finance having reported favorably  
thereon, as required by the provisions  
of the City Charter.

**MINUTES**

**EXTRA WORK ORDERS**

Contract	Prev. Apprvd.	Time	%
<u>Awd. Amt.</u>	<u>Extra Work</u>	<u>Contractor</u>	<u>Ext. Compl.</u>

Department of Transportation

1. EWO #004, \$461,642.11 - TR 03309, Reconstruction of Chesapeake Avenue-Phase 2 from West of Sun Street to Patapsco River  


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\$ 6,627,399.36	\$ 631,297.40	Monumental Paving & Excavating, Inc.	-	-
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2. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$461,642.11	9950-903550-9509	9950-901532-9506-2
MVR	Constr. Res. Neighborhood Reconstr.	Extra Work Order Chesapeake Avenue Phase II from West of Sun St. to Patapsco River

This transfer will fund extra work order No. 4 under Contract No. TR 03309 with Monumental Paving & Excavating, Inc.

3. EWO #035, \$540,744.56 - TR 03382, Reconstruction of Key Highway from East of Lawrence St. to Covington St.  


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\$ 7,987,254.00	\$ 929,590.08	Allied Contractors, Inc.	-	-
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4. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$457,229.93	9950-917001-9507	
Federal	Constr. Res. Highway Federal Aid	
108,148.91	" " "	
MVR		
<u>\$565,378.84</u>	-----	9950-902221-9506-2
		Contingencies Reconstruction of Key Highway from

**MINUTES**

**EXTRA WORK ORDERS**

Department of Transportation - cont'd

<u>Contract</u>	<u>Prev. Apprvd.</u>	<u>Time</u>	<u>%</u>
<u>Awd. Amt.</u>	<u>Extra Work</u>	<u>Contractor</u>	<u>Ext. Compl.</u>
		East of Lawrence	
		St. to Covington St.	

This transfer will cover the cost associated with the change order No. 35 on the Reconstruction of Key Highway from East of Lawrence St. to Covington St. Project.

5. EWO #001, \$ 0.00 - TR 07021, Material Testing for Various Citywide Projects
- 
- |               |   |                             |     |   |
|---------------|---|-----------------------------|-----|---|
| \$ 136,550.00 | - | Froehling & Robertson, Inc. | 365 | - |
|---------------|---|-----------------------------|-----|---|

This extra work order under TR 07021, Material Testing for Various Locations Citywide provides for a 365-day non-compensable time extension that was requested by the Department of Transportation. The material testing is needed for current and upcoming City contracts.

6. EWO #005, \$ 60,372.76 - Project 971, Jones Falls Trail Phase II
- 
- |               |               |                         |   |   |
|---------------|---------------|-------------------------|---|---|
| \$ 310,019.09 | \$ 127,589.70 | Greenman-Pedersen, Inc. | - | - |
|---------------|---------------|-------------------------|---|---|

7. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 85,176.39	9950-904176-9528	9950-903176-9527-3
MVR	Constr. Res.	Design & Studies
	Jones Falls Trail	Jones Falls Trail
	Phase II	Phase II

This transfer will fund the costs associated with Extra Work Orders Nos. 05 and 06 on Project No. 971 for additional engineering required to revise the plans and provisions to eliminate the bio-retention area that had been proposed for the Inner Harbor along Calvert Street from Light Street to Pratt Street.



**MINUTES****EXTRA WORK ORDERS**

<u>Contract</u>	<u>Prev. Apprvd.</u>	<u>Time</u>	<u>%</u>
<u>Awd. Amt.</u>	<u>Extra Work</u>	<u>Contractor</u>	<u>Ext. Compl.</u>

Department of Transportation

13. EWO #001, \$23,100.00 - TR 05301, Resurfacing North Point Boulevard from Kane Street to Pulaski Highway			
\$1,462,632.25	-	P. Flanigan & Sons, Inc.	- -

**MINUTES**Department of Real Estate - Contracts of Sale, SCOPE Project

The Board is requested to approve and authorize execution of the contracts of sale for various properties.

<u>Purchaser/s</u>	<u>Properties</u>	<u>Sale Price</u>
1. Nasim Shaukat	617 McKewin Ave.	<b>\$40,000.00</b>
2. Jon Krigsman, LLC	1107 N. Caroline St.	<b>\$ 5,000.00</b>
3. Jon Krigsman, LLC	1111 N. Caroline St.	<b>\$ 5,000.00</b>

The purchaser(s) agree to complete the renovation of the properties and obtain a Certificate of Occupancy no later than 18 months from the date of settlement.

On May 28, 2003, the Board approved an agreement with the Baltimore Economy and Efficiency Foundation, Inc. and the Greater Baltimore Board of Realtors, Inc. to allow the sale of City-owned properties under the SCOPE Project, which is an acronym for Selling City Owned Properties Efficiently.

Under this project, real estate brokers are responsible for marketing the properties and providing the City with sale contracts. Upon closing, they will be paid 8% of the sale proceeds, with a \$2,500.00 minimum fee.

**(FILE NO. 56663)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the the contracts of sale for various properties.

**MINUTES**

Department of Real Estate - Agreement of Sale

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an agreement of sale with 1117 Nanticoke Street LLC, for the sale of the property known as Parcel B containing 600 sq. ft., which is part of 1114 Dexter Street (Block 801, Lot 106).

**AMOUNT OF MONEY AND SOURCE:**

\$1,000.00 - purchase price

**BACKGROUND/EXPLANATION:**

The authority to sell the property located at 1114 Dexter Street known as Parcel B (Block 801, Lot 106) was approved by the City Council Ordinance No. 477 on December 6, 1973. The property was appraised for \$1,000.00. The property will be subdivided into three parcels which will be sold to the owners whose property is in front of the City-owned lot known as 1114 Dexter Street.

**(FILE NO. 57094)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement of sale with 1117 Nanticoke Street LLC, for the sale of the property known as Parcel B, which is part of 1114 Dexter Street.

**MINUTES**

Department of Real Estate - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an expenditure of funds to pay Edmondson Village, LLC.

**AMOUNT OF MONEY AND SOURCE:**

\$29,285.00 - 4000-423210-3080-294100-603013

**BACKGROUND/EXPLANATION:**

The City, tenant, entered into a lease agreement as the tenant with Edmondson Village, LLC, landlord, for the rental of a portion of the property known as Edmondson Village Shopping Center at 4400 Edmondson Avenue, Suite 4538. The leased space consists of approximately 2,537 square feet, and is being utilized by the Department of Health's Women, Infants, and Children Program. The lease agreement between the parties was approved by the Board of Estimates on April 22, 2009.

Edmondson Village, LLC agreed to do improvements in the amount of \$20,000.00. Any remaining costs over the \$20,000.00 would be the responsibility of the City. The total cost of improvements for both parties was not-to-exceed \$69,000.00. The total amount of work completed totaled \$49,285.00 minus the landlord's share of \$20,000.00. This expenditure of funds will pay the balance due of \$29,285.00, which is the City's cost for the improvements.

**APPROVED FOR FUNDS BY FINANCE**

**(FILE NO. 57023)**

UPON MOTION duly made and seconded, the Board approved an expenditure of funds to pay Edmondson Village, LLC.

**MINUTES**

Department of Real Estate - Renewal Option for Lease  
Agreement with Access Art, Inc.

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the fourth and final renewal option of the lease agreement with Access Art, Inc.

**AMOUNT OF MONEY AND SOURCE:**

Annual Rent

\$1.00 (if demanded)

**BACKGROUND/EXPLANATION:**

This is the fourth and final renewal option of the lease agreement with Access Art, Inc., lessee for the rental of the building including the land at 2446 Washington Boulevard. The property consists of approximately 3,393 square feet.

The Board approved the lease agreement with Access Art, Inc. on November 14, 2001. The agreement was for a two-year period commencing November 15, 2001 and terminating November 14, 2003, with the option to renew for four additional two-year periods. Access Art, Inc. has exercised their fourth and final option, commencing November 15, 2009 and terminating November 14, 2011. The annual rent will be \$1.00, if demanded. All other rental conditions and provisions of the lease agreement dated November 14, 2001 remain in full force and effect.

**(FILE NO. 56514)**

UPON MOTION duly made and seconded, the Board approved the fourth and final renewal option of the lease agreement with Access Art, Inc.

**MINUTES**

Department of Housing and - Grant Agreements and  
Community Development (DHCD) Memorandum of Understanding

The Board is requested to approve and authorize execution of the various grant agreements and memorandum of understanding. The period of the grant agreement is July 1, 2009 through June 30, 2010, unless otherwise indicated.

GRANT AGREEMENTS

1. **HEALTH CARE FOR THE HOMELESS, INC.** **\$ 25,000.00**

Account: 1001-000000-3570-327234-603051

The organization will oversee and manage the CONNECT project and provide in-house case management, nursing services and support services to low-income people with HIV/AIDS and/or have an addiction or chronic mental illness.

2. **MERCY MEDICAL CENTER, INC.** **\$ 92,174.00**

Account: 5000-523110-3570-333765-603051

The organization will hire the services of a case manager and an eviction counselor to provide counseling and case management services to family units who are homeless or at risk of homelessness. The services to be provided will include but not be limited to linkage to crisis services and direct client assistance in the form of grants to families as payment towards rent.

**MINUTES**DHCD - cont'd

3. **ANNE ARUNDEL COUNTY** **\$402,359.00**

Account: 4000-490910-3570-333679-603051

Anne Arundel County will administer a tenant-based rental assistance program to approximately 35 HIV/AIDS clients and their families. Funds will also be provided to the HIV/AIDS Volunteer Enrichment Network to fund a program known as Our House. The period of the agreement is July 1, 2009 through June 30, 2012.

**MWBOO GRANTED A WAIVER.**

4. **PAUL'S PLACE** **\$ 10,000.00**

Account: 5000-523110-3570-333746-603051

The organization will provide case management, training on budgeting and other life skills and mediation of tenant rights and responsibilities with respect to eviction to homeless clients. The organization will also provide direct grants in the maximum amount of \$400.00 per family/individual ("client") per year to satisfy rental arrearages in court ordered evictions.

5. **JOBS, HOUSING AND RECOVERY, INC.** **\$207,204.00**  
**(JHR)**

Account: 4000-485910-5750-643458-603051

The JHR will provide on-going case management to all clients residing at the emergency shelter located at 210 Guilford Avenue who have received housing placement. The case manager will assist clients who are transitioning to permanent living arrangements and continue to provide support services to prevent future homelessness. The period of the agreement is October 1, 2009 through September 30, 2012.

**MWBOO GRANTED A WAIVER.**

**MINUTES**DHCD - cont'd

6. **HEALTH CARE FOR THE HOMELESS** **\$221,112.00**  
**(HCH)**

Account: 1001-000000-3570-327234-603051

The HCH will manage and provide case management services to individuals who are living in the encampment at Bath Street and Guilford Avenue and who are being placed in permanent housing through house vouchers by Baltimore Housing. The period of the agreement is March 1, 2009 through February 28, 2010.

7. **MERCY MEDICAL CENTER, INC.** **\$327,109.00**

Account: 4000-496210-3570-591465-603051

Mercy Medical Center, Inc. will provide outreach and other supportive services to individuals and families residing in shelters, transitional and permanent housing and assist them in obtaining and maintaining permanent housing. Supportive services will include, but not be limited to, outreach counseling, housing counseling, resident advocacy, homeownership counseling, cash assistance, educational workshops, and peer support. The period of the agreement is February 1, 2009 through January 31, 2010.

8. **BALTIMORE CITY DEPARTMENT OF** **\$ 76,084.00**  
**SOCIAL SERVICES (BCDSS)**

Account: 5000-531810-3570-267826-603051

The BCDSS will provide funding for the provision of shelter beds for single adults. The Project PLASE, Inc. will render the services. The period of the agreement is July 1, 2009 through December 21, 2009.

**MINUTES**MEMORANDUM OF UNDERSTANDING

9. **QUEEN ANNE'S COUNTY, MARYLAND** **\$ 23,412.00**

Account: 4000-490910-3570-333674-603051

Queen Anne's County will provide rental housing assistance in connection with supportive services, housing information and technical assistance payments in the form of rental subsidies, security deposits and payment damages to persons with HIV/AIDS and their families in Queen Anne's County. This is funded through the Housing Opportunities for Persons with Aids (HOPWA) grant not to exceed \$23,412.00. The period of the memorandum of understanding is July 1, 2009 through June 30, 2012.

The grant agreements and memorandum of understanding are late because of a delay at the administrative level.

**MWBOO GRANTED A WAIVER FOR ITEM NOS. 1 AND 2.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the various grant agreements and memorandum of understanding.

**MINUTES**

Department of Housing and - Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Govans Economic Management Senate, Inc. (GEMS). The period of the agreement is July 1, 2009 through June 30, 2010.

**AMOUNT OF MONEY AND SOURCE:**

\$ 30,000.00	-	2088-000000-5930-427326-603051
19,000.00	-	2088-000000-5930-427381-603051
20,000.00	-	2088-000000-5930-427383-603051
60,000.00	-	2089-000000-5930-427326-603051
20,000.00	-	2089-000000-5930-427381-603051
20,000.00	-	2089-000000-5930-427383-603051
<b>\$169,000.00</b>		

**BACKGROUND/EXPLANATION:**

GEMS will provide comprehensive homebuyer education and one-on-one housing counseling to low and moderate-income persons. In addition, GEMS will provide information to community residents regarding services and other Community Development Block Grant eligible activities. Under the terms of this agreement, the funds will be used to subsidize GEMS operating expenses.

On May 13, 2009, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2009 Annual Action Plan for the following formula programs:

1. Community Development Block Grant (CDBG)
2. HOME Investment Partnership Act (HOME)
3. American Dream Downpayment Initiative (HOME)
4. Housing Opportunity for People with AIDS (HOPWA)
5. Emergency Shelter Grant Program (ESG)

**MINUTES**

DHCD - cont'd

The DHCD began negotiating and processing the CDBG agreements effective July 1, 2009 and beyond, as outlined in the Plan, pending approval of the Resolution. Consequently, the agreements were delayed due to final negotiations and processing.

**FOR THE FY 2010, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$12,000.00, AS FOLLOWS:**

**MBE:** \$1,800.00

**WBE:** \$ 600.00

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Govans Economic Management Senate, Inc.

**MINUTES**

Department of Housing and - Head Start Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Head Start agreement with the Baltimore Mental Health Systems, Inc. The period of the agreement is July 1, 2009 through June 30, 2010.

**AMOUNT OF MONEY AND SOURCE:**

\$ 20,500.00	- St. Francis Head Start
20,500.00	- Morgan State University Head Start
20,500.00	- St. Vincent De Paul SE Head Start
31,000.00	- Emily Price Jones Head Start
10,500.00	- Martin Luther King, Jr. Early Head Start
20,500.00	- St. Veronica Head Start
20,500.00	- UMOJA Head Start
9,500.00	- Herring Run Head Start
19,000.00	- Balto. City Child Care Resource Center Head Start
9,500.00	- St. Vincent De Paul NW Head Start
9,500.00	- YUBI Head Start
22,000.00	- Administration
8,000.00	- Training and Supplies
<b>\$221,500.00</b>	<b>- 4000-486310-6050-452299-603051</b>

**BACKGROUND/EXPLANATION:**

This Head Start agreement will allow the Baltimore Mental Health Systems, Inc. to provide mental health services to children and their families through the above listed Baltimore City Head Start Programs. The agreement is late because of delays in the administrative process.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**MINUTES**

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Head Start agreement with the Baltimore Mental Health Systems, Inc.

**MINUTES**

Department of Housing and - Head Start Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Head Start Agreement with Morgan State University. The period of the agreement is July 1, 2009 through June 30, 2010.

**AMOUNT OF MONEY AND SOURCE:**

\$1,546,096.00 - 4000-486310-6050-554099-603051

**BACKGROUND/EXPLANATION:**

Morgan State University is the delegate agency for the Morgan State University Head Start Program and will be responsible for providing Head Start services to 224 children and their families in Baltimore City.

The agreement is late because of delays in the administrative process.

**MBE/WBE PARTICIPATION:**

MWBOO SET GOALS OF 27% FOR MBE AND 10% FOR WBE.

OF THE TOTAL CONTRACT AMOUNT OF \$1,546,096.00, \$1,463,069.00 IS FOR ITEMS THAT ARE PROPRIETARY AND NON-SEGMENTABLE.

MBE:	Sutherland Data Products, LTD	\$24,996.88	1.62%
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WBE: None listed

MWBOO GRANTED A WAIVER OF THE BALANCE OF THE MBE/WBE GOALS.

MWBOO FOUND VENDOR IN COMPLIANCE.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

**MINUTES**

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Head Start Agreement with Morgan State University.

**MINUTES**

Department of Housing and                    - Grant  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize a Community Development Bond Fund grant to the 306 West Mulberry Limited Partnership. The Board is also requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all documents necessary to effectuate this transaction subject to review and approval by the Law Department.

**AMOUNT OF MONEY AND SOURCE:**

\$30,000.00 - 9910-907745-9588-900000-700000

**BACKGROUND/EXPLANATION:**

The grant funds will be used by the 306 West Mulberry Limited Partnership in its capacity as owner of the Mulberry Courts Apartments. The funds will be used to assist with the purchase of security equipment and payment of security related expenses.

The property located at 306 West Mulberry Street was constructed in 1993, the Mulberry Court Apartments consist of 62 units Low Income Housing Tax Credit rental project with six commercial spaces that are occupied by small minority businesses. The project was initially financed in part with a combination of public (i.e. Baltimore City funds in the amount of \$630,000.00 and the State, Community Development Administration (CDA) funds in the amount of \$1,200,000.00) and private sector funds as was placed in service in April 1994. The Mulberry Courts Apartments is one of a very few apartment buildings located in downtown. It is one block from the Metro and two blocks from Lexington Market, and it provides affordable housing for persons at or below 50% of median income. The principals of 306 West Mulberry Limited Partnership are Messrs. Tom Dowling and Jay French, developers.

**MINUTES**

DHCD - cont'd

Over the course of the past two years, drug activity has increased in the neighborhood and has now infiltrated the complex. Various security systems have been physically destroyed including the camera systems, card access system, intercom system and courtyard lighting. Occupancy has dropped to 75% and the resulting reduction of income has caused the property to experience severe negative cash flow. The funds from the replacement for reserves and operating deficit reserve accounts held by the CDA have been used to make up for the losses.

To alleviate these problems, the developer, which has been working with the Baltimore City's Central Police District to eradicate the drug activity, has asked both the CDA and the DHCD for funding to allow the developer to replace and upgrade the security equipment and hire a private security company. The security company will be at the complex from 6:00 p.m. - 2:00 a.m. seven days a week. The costs of this service will be approximately \$60,000.00 per year and will be split 50/50 between the DHCD and the CDA.

While interest accrues at 4% per year on the CDA funds, no payments are due until 2019, at which time the debt is forgiven assuming no event of default.

The DHCD Bond funds will be structured as a ten-year unsecured grant. Should an event of default occur within the ten years, the grant would be repaid together with interest accruing at the prime rate of interest declared by the Wall Street Journal, plus four percent.

**MINUTES**

DHCD - cont'd

An event of default during the period of obligation will be as follows:

1. the refinancing, sale, transfer, conveyance or any encumbrance of the project or portion thereof without written consent of the Department,
2. a default under the grant agreement document beyond any applicable notice or cure period, or
3. any encumbrance of the project without the prior written consent of the Department.

**MBE/WBE PARTICIPATION:**

Article 5, Subtitle 28 of the Baltimore City Code Minority and Women's Business Program is fully applicable and no request for a waiver or exception has been made.

**TRANSFER OF FUNDS**

<b>\$30,000.00</b>	9910-903072-9588-	9910-907745-9588-
26 <sup>th</sup> CDF	900000-700000	900000-700000
	TIF Development	Mulberry Court
	Projects	

This transfer will provide funds for the acquisition of security equipment and cameras for the Mulberry Court Apartments.

UPON MOTION duly made and seconded, the Board approved and authorized the Community Development Bond Fund grant to the 306 West Mulberry Limited Partnership. The Board also authorized

**MINUTES**

DHCD - cont'd

the Commissioner of the DHCD to execute any and all documents necessary to effectuate this transaction subject to review and approval by the Law Department. The Comptroller **ABSTAINED**.

**MINUTES**

Department of Housing and                    - Release of Land  
Community Development (DHCD)        Disposition Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the release of a land disposition agreement with Wolfe-Chase, LTD, a Maryland General Partnership (developer), and the State of Maryland for the use of the University System of Maryland for its constituent institution, Coppin State University (Coppin).

**AMOUNT OF MONEY AND SOURCE:**

\$5.00 (if demanded)

**BACKGROUND/EXPLANATION:**

The developer is the owner of 2501-2503 W. North Avenue (the property). The property was conveyed pursuant to a Deed dated May 28, 1986 and recorded among the land records of Baltimore City at Liber 0928, Folio 451 (the Deed).

The property was conveyed to the developer, subject to a Land Disposition Agreement (LDA) approved by the Board on August 28, 1985. The LDA was intended to be recorded among the land records of Baltimore City, immediately, prior to the Deed. However, the LDA was never recorded.

The State of Maryland desires to acquire the property as a site for the construction of new academic buildings for Coppin. In addition, Coppin desires to acquire the property free and clear of the terms, conditions, covenants, provisions, restrictions, easements, and reservations contained in the Deed and the LDA.

**MINUTES**

DHCD - cont'd

This release of the LDA will allow the City to release the property from the same, effective upon the acquisition of the property by Coppin.

This release will have no force and effect unless and until Coppin acquires the property as evidenced by such recorded Deed.

**MBE/WBE PARTICIPATION:**

It should be noted that the Minority and Women's Business Enterprise Program of Baltimore City is not applicable. However, Coppin State University is a State agency and is therefore governed by the regulations of the State. As a unit of the government of the State of Maryland, Coppin State University will comply with all applicable State MBE/WBE requirements in the construction of the new academic building that will occupy the expansion site.

**(FILE NO. 56674)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the release of a land disposition agreement with Wolfe-Chase, LTD, a Maryland General Partnership, and the State of Maryland for the use of the University System of Maryland for its constituent institution, Coppin State University.

**MINUTES**

Department of Housing and Community Development (DHCD) - Land Disposition Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a land disposition agreement with the Urban Renaissance Management, LLC (Developer).

**AMOUNT OF MONEY AND SOURCE:**

\$4,300.00 - 1809 N. Port Street  
 4,300.00 - 1830 N. Port Street  
**\$8,600.00** - Purchase Price

**BACKGROUND/EXPLANATION:**

The City will convey all of its rights, title, and interest to the Developer for the properties known as 1809 and 1830 North Port Street. A good faith deposit in the amount of \$2,000.00 has already been received from the developer.

The developer will convert these vacant buildings 1809 and 1830 N. Port Street into affordable residential rentals. The developer privately purchased 1811 and 1832 N. Port Street, which were successfully renovated and rented to a tenant.

The current tax assessments of these properties are \$41.40 each in City and State property taxes. Once transferred, renovated and occupied, the properties will again be active on the Baltimore City tax rolls, thereby preventing tax abandonment.

**STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE APPRAISED VALUE:**

The statement of purpose and rationale does not apply because the property will be sold at the market value.

**MINUTES**

DHCD - cont'd

**MBE/WBE PARTICIPATION:**

The developer has filed the commitment to comply with the Minority and Women Business Enterprise Program of the City of Baltimore.

**(FILE NO. 57157)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with the Urban Renaissance Management, LLC.

**MINUTES**

Department of Housing - Grant Agreement  
and Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a grant agreement with Coppin State University. The period of the grant agreement is effective upon Board approval for one year.

**AMOUNT OF MONEY AND SOURCE:**

\$250,000.00 - 9910-914030-9588-900000-704045

**BACKGROUND/EXPLANATION:**

Coppin State University is undertaking a Master Plan to expand its campus. Demolition of the former Lutheran Hospital site is key to implementing the Master Plan and is necessary due to the dilapidated condition of the building.

In 2006, the Maryland General Assembly appropriated \$250,000.00 in State Capital Funds through Item 031, Chapter 046 of the 2006 Laws of Maryland to the Mayor and City Council of Baltimore for the "demolition of certain buildings."

State Funds will be used at the following addresses: 731 Ashburton Street and 2804 Rayner Avenue. The former Baltimore Hebrew Orphan Asylum, located at Rayner Avenue will be stabilized in accordance with the requirements of the Maryland Historical Trust. The University does not have immediate plans to use this building.

The demolition is part of the University's Master Plan which includes new classrooms, science, and technology center and the redevelopment of the former Lutheran Hospital Site.

State Capital Funds require a dollar-for-dollar match, which the City has provided through a \$1,000,000.00 Supplemental Appropriation approved by the Board in 2007. The City will seek reimbursement from the State for the \$250,000.00 following the expenditure of the funds.

**MINUTES**

DHCD - cont'd

**MBE/WBE PARTICIPATION:**

As part of the University of Maryland System, Coppin State University is subject to State MBE/WBE requirements. These have been found to be sufficient by the City Solicitor's Office.

**APPROVED FOR FUNDS BY FINANCE**

**(FILE NO. 56674)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement with Coppin State University.

**MINUTES**Baltimore Development Corporation - Relocation Expenses**ACTION REQUESTED OF B/E:**

The Board is requested to approve the business relocation expenses of Flair Hair to Ms. Sandra Tillman, owner.

**AMOUNT OF MONEY AND SOURCE:**

\$73,585.00 - 9910-902879-9601

**BACKGROUND/EXPLANATION:**

The BDC purchased 433 Oldtown Mall to be included in the Disposition Lot 25B land assembly, in accordance with the Oldtown Urban Urban Renewal Plan. As a result it is necessary to relocate the business from this property. The business Flair Hair moved from 433-435 Old Town Mall to 514 Ensor Street.

On August 26, 2009, the Board approved \$103,450.00 in relocation expenses for Flair Hair. This was for moving expenses associated with the moving of personal property.

The expenses included in this claim include \$23,085.00 for space design, \$2,500.00 in reasonable search expenses, and \$48,000.00 in reestablishment expenses. The total amount of this claim is \$73,585.00. This figure was provided by Diverified Property Services, the company which the City has contracted to assist in this relocation process.

The relocation of the business at 433 Oldtown Mall is essential to the land assembly needed for the Oldtown Mall Redevelopment project. This project will include a full-service grocery store, additional retail, and some residential.

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**MINUTES**BDC - cont'd**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<b>\$73,585.00</b>	9910-904982-9600	9910-902879-9601
22 <sup>nd</sup> EDF	Constr. Res.	Commercial Revit.
	Comml. Revit.	

This transfer will provide funds to cover the costs of associated with the business relocation expenses of Flair Hair. The Flair Hair moved from 433 Oldtown Mall to 514 Ensor Street. The relocation expenses are part of the land assembly needed for the redevelopment of Oldtown Mall.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the business relocation expenses of Flair Hair to Ms. Sandra Tillman, owner. The transfer of funds was approved subject to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter.

**MINUTES**

Baltimore Development Corporation - Business Relocation Expenses

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize a second claim for actual costs for the relocation of Mrs. Lui Hu Chin d/b/a Jimmy's Chinese Carryout. The period of the grant award is July 1, 2009 through June 30, 2010.

**AMOUNT OF MONEY AND SOURCE:**

\$306,649.00 - 9910-905826-9603

**BACKGROUND/EXPLANATION:**

On February 6, 2008 a Notice of Relocation Eligibility Assistance was sent to Mrs. Lui Hu Chin, subsequent to the January 22, 2008 offer by the City to purchase the 410 Park Avenue location of Jimmy's Chinese Carryout and the Chin's residence, in accordance with the Market Center Urban Renewal Plan.

A first claim for residential relocation (self-move) and a first claim for business relocation (architectural services and replacement location search fee) in the amount of \$24,577.00 was approved by the Board of Estimates on May 20, 2009.

This request represents a second claim which includes residential relocation expense (incidental expenses associated with relocating the Chin household) and business relocation expense for relocation construction, moving, construction contingency, and pre-relocation estimating services.

A third business relocation claim for other expenses such as, but not limited to stationary, advertising, and telecommunications reconnections will be submitted when Mrs. Lui Hu Chin has received the invoices for such items.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**MINUTES**BDC - cont'd**TRANSFER OF FUNDS**

<b><u>AMOUNT</u></b>	<b><u>FROM ACCOUNT/S</u></b>	<b><u>TO ACCOUNT/S</u></b>
<b>\$306,649.00</b>	9910-904115-9600	9910-905826-9603
21 <sup>st</sup> EDF	Constr. Res.	West Side
	West Side	Initiative
	Initiative	

This transfer will provide funds for the second claim for business relocation expenses payable to Lui Hu Chin d/b/a Jimmy's Chinese Carryout for the relocation from 410 Park Avenue to 317 W. Franklin Street for the mixed-use property acquisition within the Westside redevelopment project.

UPON MOTION duly made and seconded, the Board approved and authorized the second claim for actual costs for the relocation of Mrs. Lui Hu Chin d/b/a Jimmy's Chinese Carryout. The Transfer of Funds was approved SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

**MINUTES**

Baltimore development Corporation - Business Relocation Expenses

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize a relocation payment to Ms. Natasha Lyons, a sole proprietor who leased a booth at the salon at 433 Oldtown Mall.

**AMOUNT OF MONEY AND SOURCE:**

\$14,565.68 - 9910-902879-9601 - 22<sup>nd</sup> EDF

**BACKGROUND/EXPLANATION:**

The BDC purchased 433 Oldtown Mall, to be included in the Disposition Lot 25B land assembly in accordance with the Oldtown Urban Renewal Plan. As a result it is necessary to relocate the business from this property. Ms. Lyons is a hair stylist who owns her own business and leased space at the salon at 433 Oldtown Mall.

The cost to relocate Ms. Lyons is \$14,565.68. This figure was provided to by Diversified Property Services, the company with whom the Department has contracted to assist in the relocation process.

The relocation of Ms. Lyons from 433 Oldtown Mall is essential to the land assembly needed for the Oldtown Mall Redevelopment project. This project will include a full-service grocery store, additional retail, and some residential.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**MINUTES**BDC - cont'd**TRANSFER OF FUNDS**

<b><u>AMOUNT</u></b>	<b><u>FROM ACCOUNT/S</u></b>	<b><u>TO ACCOUNT/S</u></b>
<b>\$14,565.68</b>	9910-904982-9600	9910-902879-9601
22 <sup>nd</sup> EDF	Constr. Res.	Coml.
	Coml.	Revitalization
	Revitalization	

The funds will cover the cost to relocate Ms. Natasha Lyons, a hair stylist and business owner, from 433 Oldtown Mall. This figure was provided by Diversified Property Services, the company with which the BDC contracted to assist in this relocation process. This project will include a full-service grocery store, additional retail, and some residential.

UPON MOTION duly made and seconded, the Board approved and authorized the relocation payment to Ms. Natasha Lyons, a sole proprietor who leased a booth at the salon at 433 Oldtown Mall.

**MINUTES**

Baltimore Development Corporation (BDC) - Land Disposition Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a land disposition agreement with Howard Street Lofts, LLC, developer, for the sale of the four properties located at 408-416 N. Howard Street, located in Disposition Lot 12 in the Market Center Urban Renewal Plan (the site).

**AMOUNT OF MONEY AND SOURCE:**

\$100,000.00 - Purchase price to be paid at settlement for the four properties (408 - 416 N. Howard Street have been combined into one property)

**BACKGROUND/EXPLANATION:**

In 2007, the BDC, on behalf of the City of Baltimore, issued a Request for Proposal (RFP) for the redevelopment of four sites in the Market Center Urban Renewal Area, including Site B (408-416 N. Howard Street).

Two responses were received for the properties at 408-416 N. Howard Street, which were reviewed by an Advisory Review Panel. An Exclusive Negotiating Privilege was subsequently awarded to Howard Street Lofts, LLC, a Limited Liability Company owned and managed by Mr. Sean MacCarthy and Mr. Alex Shewchuk.

In 1995, the City acquired the properties located at 408-410 N. Howard Street for \$150,000.00, 414 N. Howard Street for \$85,000.00, and 416 N. Howard Street for \$66,000.00. In 1997, the City acquired the property located at 412 N. Howard Street for \$80,000.00 for a total of \$381,000.00.

The properties were appraised by Concord Appraisal Company and Woodley Appraisal Group in September 2009. The appraisals are as follows: 408-410 N. Howard Street for \$600,000.00; 412 N. Howard Street for \$200,000.00; 414 N. Howard Street for \$230,000.00; and 416 N. Howard Street for \$180,000.00, for a total of \$1,210,000.00.

**MINUTES**

BDC - cont'd

The project will consist of the development of the four properties as mixed-use, with 8,165 SF of retail/office space and ten on-site parking spaces on street level and 26 new residences. The total project costs are anticipated to be approximately \$7,721,981.00.

Under the terms of this LDA, the developer will purchase the four properties from the City for a total of \$100,000.00 in "as-is" condition. The City is eligible to recover a portion of the acquisition write-down at sale or refinance, up to \$500,000.00. The City's investment (land write-down) will eliminate blight, attract significant private investment to this project, spur additional private investment and redevelopment of properties on the east side of this immediate area, create new employment opportunities, and create activity on a block that has experienced disinvestment by the private sector.

**STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE APPRAISED VALUE:**

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This project will further stabilize the 400 block of N. Howard Street with street level retail activity and new residential units on the upper floors. The rehabilitation of 408-416 N. Howard Street will further catalyze redevelopment in the northern portion of Market Center

Economic benefits to the City include increased property taxes from the newly renovated buildings, sales tax from the first floor retail tenants and job creation. The job creation includes nine full-time equivalent (FTE) retail jobs created by 1<sup>st</sup> floor tenants and management of residential units. The created jobs will consist of 7.5 FTE retail jobs and 1.5 FTE property management jobs.

The project is located directly south of the recently completed St. James Place project. The redevelopment of St. James Place represents a City investment of \$2,000,000.00. This project will benefit the immediate community by reinvigorating a largely vacant block of City-owned properties with new residents, and retail tenants and their customers.

**MINUTES**

BDC - cont'd

**MBE/WBE PARTICIPATION:**

The project will eliminate blighted conditions and encourage private investment in the redevelopment of properties on the east side of the same block.

The developer has signed the Commitment to Comply with Article 5, Subtitle 28 of the Baltimore City Code (2000 Edition) regarding participation by Minority Business Enterprise and Women's Business Enterprise.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Howard Street Lofts, LLC, developer, for the sale of the four properties located at 408-416 N. Howard Street, located in Disposition Lot 12 in the Market Center Urban Renewal Plan.

**MINUTES**

Baltimore Development - Agreement to Implement  
Corporation (BDC) Memorandum of Understanding

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an agreement to implement the memorandum of understanding (MOU) with The Harry and Jeanette Weinberg Foundation (the Foundation).

**AMOUNT OF MONEY AND SOURCE:**

\$11,687,100.00	-	9910-905825-9601	State-Other
90,000.00	-	9910-905825-9601	19 <sup>th</sup> EDF
3,170,000.00	-	9910-905825-9601	21 <sup>st</sup> EDF
249,900.00	-	9910-905825-9601	22 <sup>nd</sup> EDF
<b>\$15,197,000.00</b>			

**BACKGROUND/EXPLANATION:**

On April 18, 2007, the Board approved the memorandum of understanding which identified properties which have been conveyed to the City, as well as properties which the City is to convey to C-W Superblock, LLC on behalf of the Foundation. The funds represent the difference in value between the properties acquired by the City from the Foundation and its Affiliates and the properties to be conveyed to C-W Superblock, LLC.

The Westside Revitalization Project is one of the largest and most significant development efforts that the City has ever undertaken. Since 2004, when the last Market Center (Westside) Urban Renewal Plan amendment was approved, much progress has been made: new and rehabilitated housing (including Redwood Towers, The Atrium at Market Center, the Centerpoint Project, St. James Place, 39 W. Lexington Street, The Zenith, and The Abell Building) which is creating a downtown neighborhood. The former Stewart's Department Store, renovated by the Foundation, has become the world headquarters of Catholic Relief Services, the Hippodrome Theatre at the France-Merrick Performing Arts Center is flourishing, the University of Maryland, Baltimore, the University of Maryland Medical System and the University of Maryland, Baltimore BioPark continue to expand and the Hilton Baltimore Convention Center Hotel has become a reality.

**MINUTES**

BDC - cont'd

In April 2007, the City, BDC and the Foundation, among others, entered into the MOU which was a key step in the Westside Revitalization and set forth principles and obligations with respect to (1) an area of the Superblock described in the MOU as Site A to be developed by the Foundation and The Cordish Company, and (2) another area of the Superblock described in the MOU as Site B, to be developed by an entity known as Lexington Square Partners, LLC.

Under the MOU, the City and the Foundation agreed that the total fair market value of all the properties that the Foundation would cause to be conveyed to the City in Site B is greater than the total fair market value of all the properties that the City would be conveying to the Foundation in Site A, while the City and Foundation did not know the exact amount of this difference in value. Accordingly, the parties agreed that, after the City settled and received a deed for all the Site B Foundation property, the City and the Foundation would negotiate in good faith, to reach an agreement on the amount of compensation due to the Foundation to compensate the Foundation for the conveyance to the City of property of greater value than the value of the Site A property which the City is obligated to convey to the Foundation. Pursuant to the MOU, the City and the Foundation have exchanged appraisals and negotiated in good faith and reached an agreement as to the fair market value of the properties (1) to be conveyed by the City to C-W Superblock, LLC on behalf of the Foundation in Site A, and (2) already conveyed by the Foundation and its Affiliates to the City in Site B.

To facilitate the Westside Initiative's progress, the parties agreed to the transfer of properties in the 2007 MOU and further agreed to a framework and timetable to resolve the issue of the amount to be paid by the City for the difference in value of the properties. The MOU provides that Maryland law and rules of procedure would apply as if the acquisition had occurred in the context of a condemnation proceeding. Accordingly, under Maryland statutes and case law, any final agreed amount shall include the value of the properties, any damages sustained by the owner of the property as a result of the public project itself, and interest thereon.

**MINUTES**BDC - cont'd

The City engaged the professional services of two experienced real estate appraisers, Lipman Mitchell Frizzell and Gilbert Advising and Appraisals, to assist in the determination of the value of both the properties it was acquiring and the properties it is to convey. Likewise, the Foundation hired its own appraiser, Colliers Pinkard, one who has been used by the City in the past on other projects. All of the appraisers are members of the Appraisal Institute. Over a number of months and on a number of occasions, members of the Law Department and BDC met with members of the Foundation and its counsel, as well as with the appraisers.

One of the matters discussed and negotiated was the issue of Reichs Ford damages (named after the Maryland Court of Appeals case which grants property owners damages in a condemnation scenario for losses suffered as a result of the announcement of a public project).

The issue of interest on the final agreed amount is governed by case law, and would normally be 6%, although in resolution of this matter, it was negotiated to a lesser amount.

Subject to the approval of the Board, the parties have now reached agreement on the value of the Site A properties (those being sold by the City), the Site B properties (those being acquired by the City), and on the amount to be paid by the City because of the difference in the two sites.

**Site A properties to be purchased from the City**

Property	Value
204-206 W. Lexington St.	\$ 342,000.00
212 W. Lexington St.	614,000.00
210 W. Lexington St. / 202-	
218 Park Ave. / 203 Clay St.	1,790,000.00
<b>Total</b>	<b>\$2,746,000.00</b>

## MINUTES

BDC - cont'dSite B properties acquired by the City

Property	Value
201-213 W. Lexington St.	\$ 3,497,000.00
217-219 W. Lexington St.	1,726,000.00
206 W. Fayette St.	2,775,000.00
224 W. Fayette St.	330,500.00
105-107 N. Howard St. /	
228 W. Fayette St.	930,000.00
109-111 N. Howard St.	1,030,000.00
113 N. Howard St.	650,000.00
221 Marion St.	138,600.00
119 Park Ave.	190,000.00
104-106 N. Liberty St.	420,000.00
<b>Total</b>	<b>\$11,687,100.00</b>

Reichs Ford amount on Site B properties: \$2,163,059.00Interest on combined amount: \$1,346,841.00

When adding the City's cost for the acquisition of the Site B properties to the Reichs Ford damages and the interest, the total comes to \$15,197,000.00. After deducting the \$2,746,000.00 which the City is owed for the Site A properties, the City will pay to the Foundation and its Affiliates, the sum of \$12,451,000.00.

APPROVED FOR FUNDS BY FINANCE

**MINUTES**

BDC - cont'd

**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation - cont'd</u>		
15. \$ 90,000.00	9910-904115-9600	
19 <sup>th</sup> EDF	Constr. Res.	
	West Side	
	Initiative	
3,170,000.00	9910-904115-9600	
21 <sup>st</sup> EDF	Constr. Res.	
	West Side	
	Initiative	
249,900.00	9910-904115-9600	
22 <sup>nd</sup> EDF	Constr. Res.	
	West Side	
	Initiative	
<u>\$3,509,900.00</u>	-----	9910-905825-9601
		West Side Downtown

The transfer will provide funds for the Reichs Ford claims and interest on Site B properties for the West Side Redevelopment Project in the Market Center Urban Renewal Area per the agreement to implement the Memorandum of Understanding with The Harry and Jeanette Weinberg Foundation.

**(FILE NO. 57197)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement to implement the memorandum of understanding with The Harry and Jeanette Weinberg Foundation.

**MINUTES**

Department of Transportation - Refund of Excess Proceeds  
from an Auction

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a refund, by Expenditure Authorization, of excess proceeds from a City vehicle auction to the registered owner, Mr. Michael Jones.

**AMOUNT OF MONEY AND SOURCE:**

\$ 2,413.00 - 1001-000000-1950-505215-401774

**BACKGROUND/EXPLANATION:**

The refund represents the proceeds beyond the expenses of receiving, storing, and disposing of the vehicle in question at auction. The refund is in accordance with AM-303-1 and Article 31, Section 97 of the Baltimore City Code (2000).

The registered owner and/or lien-holders were properly notified that the vehicle was at the Towing Section, and the vehicle remained unclaimed. Therefore, the vehicle was sold at auction and the owner has requested the refund of the excess proceeds from the auction.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the refund, by Expenditure Authorization, of excess proceeds from a City vehicle auction to the registered owner, Mr. Michael Jones.

**MINUTES**Department of Transportation - Amendments to Agreements

The Board is requested to approve and authorize execution of the amendments to agreements.

AMENDMENTS NO. 1 TO AGREEMENTS

	<u>CONSULTANT</u>	<u>PROJECT NO.</u>	<u>AMOUNT</u>
1.	<b>WHITMAN, REQUARDT &amp; ASSOCIATES, INC.</b>	<b>1000</b>	<b>\$ 0.00</b>

On June 27, 2007, the Board approved a 2½-year agreement with Whitman, Requardt, & Associates, Inc. to reconstruct Central Avenue and provide design plans and specification. The Department is requesting that the contract be extended an additional five years or until the agreement amount of \$1,816,034.65 is reached, whichever occurs first. This additional time is needed to complete the design on the second phase of this project.

**MBE/WBE PARTICIPATION:**

Whitman, Requardt & Associates, Inc. will continue to adhere to the DBE goals of 23.00% for this project.

**AUDITS NOTED THE TIME EXTENSION.**

2.	<b>SABRA, WANG &amp; ASSOCIATES, INC.</b>	<b>1074</b>	<b>\$500,000.00*</b>
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On April 30, 2008, the Board approved Project 1074, On-Call Consultant Services, Reconstruction, Rehabilitation and/or Resurfacing Project with Sabra, Wang & Associates, Inc. The Board is requested to approve an increase of \$500,000.00 to the upset limit, which is needed to complete the on-going design work.

\*The account number will be determined for each task as it is assigned.

**MINUTES**

Department of Transportation - cont'd

**MBE/WBE PARTICIPATION:**

Sabra, Wang & Associates, Inc. will continue to adhere to the established goals of 24.00% for MBE and 14.00% for WBE.

**AUDITS NOTED THE INCREASE IN THE UPSET LIMIT AND WILL REVIEW TASK ASSIGNMENTS.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendments to agreements.

**MINUTES**

Department of Transportation - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with CSX Transportation, Inc. (CSXT). The period of the agreement is effective upon Board approval.

**AMOUNT OF MONEY AND SOURCE:**

No funds are required until the City advertises the project.

**BACKGROUND/EXPLANATION:**

This agreement provides for the reconstruction, cost-sharing and future ownership of the Sinclair Lane Bridge over the CSXT railroad tracks. In October 2007, the Department reached an agreement in principle with CSXT to reconstruct and share in the cost of reconstructing the Sinclair Lane Bridge over the CSXT's railroad tracks. Reaching this agreement avoided costly and uncertain litigation for both parties and provides for a timely reconstruction of the bridge which is required due to its age and condition. Under the agreement, the CSXT will reimburse the City for 75% of the engineering costs incurred as of October 10, 2007, and the City will continue with its plans to redesign the bridge in accordance with local, state and national standards. Upon approval of the plans, specifications and estimates, the City will bid and award the project according to standard City practices. Upon the City's acceptance of the project, the City will assume ownership of the bridge pursuant to a Deed of Easement which is an exhibit to the agreement. Pursuant to the agreement, the CSXT will pay 75% of the cost of reconstruction and the City will pay 25% of the cost. Any federal funds received for the project (over and above the City's annual federal formula allocation) will be deducted from the cost of the project before the 75%/25% cost-sharing ratio is applied.

**MINUTES**

Department of Transportation - cont'd

**(FILE NO. 56198)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with CSX Transportation, Inc.

**MINUTES**

Department of Transportation - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with CSX Transportation, Inc. (CSXT). The period of the agreement is effective upon Board approval.

**AMOUNT OF MONEY AND SOURCE:**

No funds are required until the City advertises the project.

**BACKGROUND/EXPLANATION:**

This agreement provides for the reconstruction, cost-sharing and future ownership of the Fort Avenue Bridge over the CSXT railroad tracks. In October 2007, the Department reached an agreement in principle with the CSXT to reconstruct and share in the cost of reconstructing the Fort Avenue Bridge over the CSXT's railroad tracks. Reaching this agreement avoided costly and uncertain litigation for both parties and provides for a timely reconstruction of the bridge which is required due to its age and condition. Under the agreement, the CSXT will procure an engineering firm to redesign the bridge in accordance with local, state and national standards, and assign these plans, specifications and estimates to the City at no charge. The City will manage the design firm on the CSXT's behalf. Upon assignment and approval of the plans, specifications and estimates, the City will bid and award the project according to standard City practices. Upon the City's acceptance of the project, the City will assume ownership of the bridge pursuant to a Deed of Easement which is an exhibit to the agreement. Pursuant to the agreement, the CSXT will pay 75% of the cost of reconstruction and the City will pay 25% of the cost. Any federal funds received for the project (over and above the City's annual federal formula allocation) will be deducted from the cost of the project before the 75%/25% cost-sharing ratio is applied.

**MINUTES**

Department of Transportation - cont'd

**(FILE NO. 56198)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with CSX Transportation, Inc.

**MINUTES**Department of Audits - Audit Report and Related Audit Digest

The Board is requested to **NOTE** receipt of the following Audit Report and Related Audit Digest:

Review of the Baltimore City Fire Department Purchases of Certain Equipment and Supplies from Draeger Safety, Inc. for the period from April 2000 through May 2005.

President: "The first item on the non-routine agenda will be the Department of Audits, Review of the City Fire Department Purchases of Certain Equipment and Supplies from Draeger Safety, Inc. Good morning."

Mr. Bob McCarty, City Auditor: "Good morning Madam President, members of the Board."

President: "Where are our Fire representatives? Are they going to speak?"

Mr. McCarty: "You want them to talk to you?"

President: "Aren't they going to respond?"

Mr. McCarty: "I guess. Yes."

President: "We don't want to get started without you."

Mr. McCarty: "The Department of Audits conducted a review of information pertaining to the Baltimore City Fire Department's purchases of certain equipment and supplies from Draeger Safety,

**MINUTES**Audits - cont'd

Inc. for the period from April 2000 through May 2005. The purpose of our review was to determine whether a former employee of the Fire Department had bypassed the City's and its Fire Department's oversight and established internal control procedures by making unauthorized purchases through an off-the-books account, as had been previously reported by The Sun; and if so, to determine whether this resulted in any financial harm to the City, and recommend improvements to the internal control procedures. For background, on April 5, 2000, the Board approved an award totaling \$532,814.00, which included \$464,533.00 for the equipment, plus interest, to Draeger as a selected source. It is our understanding that because the Fire Department did not have funds available in its fiscal years 2000 and 2001 budget for the equipment and supplies needed to comply with Federal Safety Standards that these items were to be financed under a Master Lease Agreement with GE Capital Public Finance, Inc. The lease agreement included an attachment that listed quantities and descriptions of the equipment to be obtained for the Fire

**MINUTES**Audits - cont'd

Department. On April 6, 2000, a City Purchase Order, totaling \$464,533.00, was prepared, which also included quantities and unit prices for the respiratory equipment listed in the lease agreement attachment. The then City's Chief, Bureau of Treasury Management, certified that the equipment had been delivered and accepted by the Fire Department on or before April 13, 2000. On April 28, 2000, \$464,533.00 was wire transferred to Draeger by GE to pay for the listed equipment. However, at that time, the invoiced amounts for the equipment received totaled only \$97,997.00. Because all of the equipment had not been received, the Fire Department's Fire Breathing Application Supply Coordinator, who I will refer to from now on just as the Supply Coordinator, maintained a log to record invoices and related charges for shipments received from Draeger from April 2000 until June 2001. The descriptions, item codes, and prices for most of the items purchased, differed from the schedule of items included on the attachment to the lease agreement and the items listed on the Purchase Order. It is their understanding that

**MINUTES**Audits - cont'd

the Fire Department's Fiscal Technician was aware of this manual log maintained by the Supply Coordinator. The last entry on this log was a fictitious entry of \$11,195.00 for spare parts, which was used to close out the Purchase Order and to transfer this balance to create a second off-the-books log that was used to record further transactions with Draeger for the period from June 2001 through May 2005. This second off-the-books log was used by the Supply Coordinator to account for additional credits and charges for items from Draeger. These credits totaled at least \$255,000.00 and purchases recorded against those credits totaled at least \$237,000.00. The purchases recorded in the second off-the-books log were used for additional Fire Department acquisitions from Draeger. In addition to Draeger products, the Supply Coordinator allowed Draeger to obtain items from other vendors for the Fire Department, for example, \$11,000.00 for a public address system, \$4,000.00 for tables and chairs, and \$600.00 for space heaters. We do not believe these were the type of items contemplated by the Board of Estimates

**MINUTES**Audits - cont'd

when they approved the award to Draeger as a selected source on April 5, 2000. As such, it is possible that the City may have been able to acquire these items at a better price through the City's procurement process. Additionally, part of the more than \$255,000.00 in credits recorded on the second off-the-books log consisted of transfers of unspent Federal funds from the Police Department's Homeland Security grants. Rebates, credits, and items not received from Draeger were added to the second off-the-books log, rather than as adjustments to the City's accounting records, which caused the Police Department to over-report its Federal expenses by \$164,628.00. Since these funds lost their identity when commingled with other transactions on the log, it is quite possible that the funds were used improperly, for example, to acquire three laptop computers at a cost of \$8,500.00 for a former Fire Academy Chief. Other items acquired through the off-the-books account include the thermal imaging cameras costing \$54,000.00 and pelican cases costing \$6,000.00. We are therefore questioning the \$164,628.00 of

**MINUTES**Audits - cont'd

Federal grant funds that were commingled with this off-the-book log. In summary, we determined that a former Fire Department Supply Coordinator circumvented various budgeting, procurement, and accounting procedures established by the City and its Fire Department, including those that would have provided for a segregation of duties. Consequently, this lack of adequate segregation of duties increased the risk that fraud, waste, and abuse could occur without being detected and raises questions about the reliability of any records maintained for the applicable transactions, especially since the Supply Coordinator maintained an off-the-books log to account for these transactions from Draeger and then disposed of that log and the related documents. We believe there was a lack of adequate supervisory oversight by the Fire Department; that Supply Coordinator's supervisors either were unaware of the improperly procured items from Draeger, or they knew about it and condoned the arrangement. Because of these weaknesses, it is possible that fraud, waste, and abuse could have occurred, but we could

**MINUTES**Audits - cont'd

not determine with any certainty whether the City had actually suffered any financial harm. However, we are questioning the \$164,628.00 in costs, which may need to be returned to the Federal government since unspent portions of Purchase Orders were charged to Federal grants of the Police Department as though they were fully spent, but were in fact, transferred to and then commingled into a second off-the-books log. We obviously recommend that all City agencies, in this case, the Fire Department, strictly adhere to all City and Departmental policies and procedures established for the proper procurement of goods and/or services. Also, goods and services should not be paid for in advance. Any significant changes to the terms and conditions of the applicable contracts or purchase orders, especially those involving a change in the type of goods ordered and their related prices, should be appropriately referred to the Board for approval. We also recommend that when an ending balance exists on a particular purchase order, that the Purchase Order should be liquidated. Additionally, we recommend that the

**MINUTES**Audits - cont'd

Police and Fire Department officials consult with the Federal grantor to address the questioned costs and determine if any of these funds must be returned to the Federal grantor. The responses of the Fire Department, the Department of Finance's Bureau of Treasury Management, and Accounting and Payroll Services, and the Police Department are included as an appendix to this report."

President: "Thank you. I noticed in your report that you said that there was no financial -- that you were not certain of any financial harm to the City. While it is clear that the procurement rules of the City have been violated, it looks like willfully, you also found that there was no evidence of unjust personal enrichment."

Mr. McCarty: "True."

President: "So, the items were purchased -

Mr. McCarty: "The items were purchased for the benefit of the Fire Department."

**MINUTES**

Audits - cont'd

President: "Surreptitiously purchased for just reasons for -- got ya. Do we have a representative here from the Police Department? Thank you. Don't leave. Good morning. Could you identify yourself for the record?"

Mr. Kyle McNair: "I am the Fiscal Administrator for the Baltimore City Police Department Grants Section."

President: "Thank you. Mr. McNair, the audit has brought to our attention something that I know has been brought to yours and that is \$164,628.00 in commingled funds. Could you give us a report as to what has been done to identify what -- the ultimate spending on that and how far you are with the investigation and if there needs to be any refund to the Federal government?"

Mr. McNair: "Yes ma'am."

City Solicitor: "You need to identify yourself for the record?"

Mr. McNair: "I'm sorry, Kyle McNair. Myself and Bob Maloney met with Tony Finker with the Maryland Emergency Management Agency, MEMA, about three months ago and we started discussing the possible results of the Audit findings, the single Audit finding by the Department of Audits."

**MINUTES**

Audits - cont'd

President: "So, right now you are working on resolving the issue?"

Mr. McNair: "Yes ma'am."

President: "Could you report back to the Board within 90 days?"

Mr. McNair: "Yes ma'am."

President: "Thank you very much. Any other questions for the Police Department? [sic]"

City Solicitor: "No."

President: "Thank you very much. Chief Clack?"

Mr. James Clack, Chief, Baltimore City Fire Department: "Thank you, Madam President and members of the Board. We were not surprised by this audit. We had been working for quite a long time with the Board of Audits and the Auditors on this issue. The issues identified were not surprising and we agree with the audit, almost entirely, with a couple of just small points about what people are called and what the money was used to purchase. I believe that all the money was used to purchase items for the benefit of the Department. I don't think that there is anybody

**MINUTES**Audits - cont'd

pocketing any money or using the money inappropriately. I think that this was a gentleman, who is no longer with us, that was trying to circumvent the rules because he did not like the rules. I am a rule follower and I believe that if we can't follow the rules for some reason, then we need to get the rules changed. So, we don't operate like this anymore. I also believe that the internal controls that the City has put in place, especially in the last couple of years, would make it possible to ferret out this kind of activity much easier. So, we are working closely with the Police Department and with Finance to make sure that what we do in the Fire Department today meets all of the requirements, so that we are doing thing correctly."

President: "Thank you very much. Any more questions for Chief Clack?"

Mr. Edward Gallagher, Director of Finance: "May I address this issue in terms of commenting on what the Fire Chief said and also about the rules and regulations relating to the procurement of goods and services. I want to point out that

**MINUTES**Audits - cont'd

today the City benefits from two new financial systems that should go a long way to prevent this type of thing from happening again. Those two systems are the new purchasing system called Citibuy and the new Finance system called City Dynamics. What these two systems do together reflect a different and brand new business process that emphasizes better internal controls with regard to the purchase of goods and services and the payments to vendors. Specifically, there are three changes with the new systems that will help prevent this type of situation described by the Auditor in the Department from the years 2000 through 2005. First, our new systems require a segregation of duties, meaning that the same person cannot make a request for goods and services, approve the request, confirm receipt of the goods and services, and approve the invoice for payment. Each of these roles is separate in the system's security. It does not allow the same person to be involved in incompatible roles. Second, all vendors now are directed to submit invoices to

**MINUTES**Audits - cont'd

Central Accounting for processing rather than sending the invoices to the agencies. The accounting bureaus charged with managing these invoices that have been received against the Purchase Orders. The system requires a three-way match in order for any invoice to be paid. The three-way match means that goods and services itemized on the invoice must match the items on the Purchase Order issued by the Bureau of Purchases and also must match items that the user agency confirms that they have received. The implementation of these new systems has brought about a significant change in the way the City does business. So, I think it is important that this type of problem should really be put to rest in the future in terms of controls."

Mr. Scott: "Madam President, may I also clarify or have Chief Clack clarify that this was under a prior administration, that this issue came up."

Chief Clack: "Yes it was brought to our attention."

Mr. Scott: "Thank you."

President: "Thank you very much. The audit will be accepted."

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**MINUTES**Law Department - Claim for Refund of Real Property Taxes

The Board is requested to approve a refund of real property taxes for Mr. William Price, Jr., claimant, for his property at 449 South Augusta Avenue.

It is the opinion of the Law Department that Mr. Price meets the qualifications for a real property tax exemption for blindness, and that he is eligible to receive a refund of taxes paid within three years of his application on August 17, 2009. His medical diagnosis falls within the statutory definition of a blind individual, and he has resided in the property, a dwelling occupied by not more than two families during the period in question. The Law Department has been determined that Mr. Price is entitled to a refund of real property taxes paid for the three year period by statute for the sum of \$1,076.38.

<u>Property</u>	<u>Taxable Year</u>	<u>Amount</u>
449 South Augusta Ave.	2007/2008	\$ 367.50
	2008/2009	355.29
	2009/2010	353.59
		<u>\$1,076.38</u>

UPON MOTION duly made and seconded, the Board approved the refund of real property taxes for Mr. William Price, Jr., claimant, for his property at 449 South Augusta Avenue.

**MINUTES**

Department of Law - Recordation of Trustees Deed

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the recordation of the Trustees Deed for 5904 - 5906 York Road.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The recordation of the Trustees Deed will be SUBJECT to all municipal liens including interest and penalties except for the water bills which will be paid by the Baltimore Development Corporation (BDC). The foreclosure sale for the Senator Theatre has been ratified by the Circuit Court of Baltimore City and the property can now be transferred to the City. The property has outstanding municipal liens. They are:

<u>Lien</u>	<u>Amount</u>
09/10 Real Estate Taxes	\$34,201.04
08/09 Real Estate Taxes	34,189.54
09 Minor Privilege	1,675.49
Alley/Footway	2,592.00
09/10 Personal Property Taxes	4,350.27
08/09 Personal Property Taxes	2,558.99
07/08 Personal Property Taxes	3,156.09
06/07 Personal Property Taxes	4,182.36
05/06 Personal Property Taxes	5,354.71
<b>Total</b>	<b><u>\$92,260.49</u></b>

Once the Senator Theatre is deeded to the City, it will be disposed of pursuant to the Request for Proposals which has already been issued by the BDC with responses due later this month.

**MINUTES**

Department of Law - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized the recordation of the Trustees Deed for 5904 - 5906 York Road.

**MINUTES**Circuit Court - Expenditure of Funds**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an expenditure of funds to pay AWA Mechanical.

**AMOUNT OF MONEY AND SOURCE:**

\$9,139.26 - 5000-544402-1100-110900-603026

**BACKGROUND/EXPLANATION:**

AWA Mechanical will perform repairs for emergency air conditioning repairs in the Courtsmart server room.

AWA Mechanical was awarded the contract for the Court's redundant air conditioning system in January, 2008 on Requisition No. 38477. The vendor also provided the original AC unit for this critical server room several years prior. The Court has been using the vendor for preventative maintenance since the installation of the AC unit with the approval of the Purchasing Department under PO P502397 for the annual maintenance on the original unit.

In September 2006, General Services directed the Court to use the vendor to provide a preventative maintenance agreement for the AC unit since they installed the original system. When an issue would arise AWA Mechanical would be called to repair the issue since they installed the unit and provided preventative maintenance.

Unfortunately, unbeknownst to the Court, AWA Mechanical is no longer contracted with the City for this type of repair and therefore the Board's approval to pay this vendor outside of an existing City contract is necessary. The Court has now been directed to use R.F. Warder, Inc. for future preventative maintenance agreements. The Court has started this process with

**MINUTES**

Circuit Court - cont'd

R.F. Warder, Inc. for future maintenance and repair, however, prior to this change, the Court had initiated contact with AWA Mechanical for repair.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized the expenditure of funds to pay AWA Mechanical.

**MINUTES**

Bureau of Water and Wastewater - Partial Release of Retainage Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a partial release of retainage agreement to R.E. Harrington Plumbing and Heating for Contract No. SC 860, Repair and Replacement of Existing Sanitary Sewers at Various Locations.

**AMOUNT OF MONEY AND SOURCE:**

\$225,000.00 - 9956-903341-9551-900020-706063

**BACKGROUND/EXPLANATION:**

All work on Contract No. SC 860 was completed. The contractor has requested a partial release of retainage in the amount of \$225,000.00. The City holds \$241,255.70 in retainage. The remaining \$16,255.70 is sufficient to protect the interests of the City.

**MBE/WBE PARTICIPATION:**

MWBOO FOUND VENDOR IN COMPLIANCE.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the partial release of retainage agreement to R.E. Harrington Plumbing and Heating for Contract No. SC 860, Repair and Replacement of Existing Sanitary Sewers at Various Locations.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases

1. AC QUEST, INC.	\$ 5,927.05	Only Bid
Solicitation No. B50001245 - Boiler Parts - Department of Public Works - Req. No. R534279		

2. NATIONAL GIFT CARD	\$10,059.99	Low Bid
Solicitation No. 07000 - Ryan White Program (Gift Cards) - Department of Health - Req. No. R531738		

3. WOLF-TRAP FOUNDATION FOR THE PERFORMING ARTS	\$19,600.00	Selected Source
Solicitation No. 06000 - Wolf-Trap Training for Head Start Program - Department of Housing and Community Development - Req. No. R534188		

The agency requests to continue with this vendor for continuity of training. The vendor has offered a \$23,500.00 discount to the program.

4. LEXISNEXIS RISK & INFORMATION ANALYTICS GROUP, INC.	\$ 7,893.10	Sole Source
Solicitation No. 08000 - On-Line Subscription - Department of Housing and Community Development - Req. No. R535158		

The vendor is the sole source of the needed subscription.

5. F2 INDUSTRIES, LLC AND USA BLUEBOOK	\$15,660.00 \$ 4,914.00	Low Bid
Solicitation No. 07000 - HTH Powder and Tablets - Department of Public Works - Req. No. R534555		

6. ATLANTIC LIFT TRUCK, INC.	\$10,000.00	Low Bid
Solicitation No. 07000 - Used Forklift - Police Department - Req. No. R535832		

7. CAMDEN PUMPS & EQUIPMENT LLC	\$ 5,649.00	Low Bid
Solicitation No. 07000 - Service EMU Submersible Mixer - Department of Public Works - Req. No. R534394		

**MINUTES****INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS**

<b><u>VENDOR</u></b>	<b><u>AMOUNT OF AWARD</u></b>	<b><u>AWARD BASIS</u></b>
<u>Bureau of Purchases</u>		
8. <u>COLE MEDICAL, INC.</u>	<u>\$ 7,028.70</u>	<u>Only Bid</u>
Solicitation No. B50001254 - Clinical Supplies (Druid STD Clinic) - Health Department - Req. No. R531864		
9. <u>COLE MEDICAL, INC.</u>	<u>\$ 8,877.30</u>	<u>Low Bid</u>
Solicitation No. B50001255 - Clinical Supplies (Eastern STD Clinic) - Health Department - Req. NO. R530277		
10. <u>CITIZENS PHARMACY SERVICES</u>	<u>\$24,400.00</u>	<u>Increase</u>
Solicitation No. B50000691 - Gonorrhoea Medicine Packets - Health Department - Req. No. R530216		
<p>On October 08, 2008, the Board approved the initial award for the amount of \$19,200.00. Because of increased usage, the Board is requested to approve an increase for the amount of \$24,400.00. With the additional funds, the total revised total contract amount will be \$43,600.00.</p>		
11. <u>KHALL SOLUTIONS, LLC.</u>	<u>\$11,000.00</u>	<u>Low Bid</u>
Solicitation No. 07000 - Photo Lab Equipment Repairs - Police Department - Req. No. R530194		
12. <u>KHALL SOLUTIONS, LLC.</u>	<u>\$ 9,600.00</u>	<u>Low Bid</u>
Solicitation No. 07000 - Photo Lab Equipment Maintenance - Police Department - Req. No. R530191		
13. <u>ZISTOS CORPORATION</u>	<u>\$18,825.00</u>	<u>Sole Source</u>
Solicitation No. 08000 - ZISTOS Pole Camera System - Police Department - Req. No. R530900		
<p>The vendor is the sole provider this proprietary system.</p>		
14. <u>TIPCO TECHNOLOGIES</u>	<u>\$11,000.00</u>	<u>Only Bid</u>
Solicitation No. B50001239 - Flat Saw Blades for Root Trucks - Department of General Services - Req. No. R531695		

**MINUTES****INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS**

<b>VENDOR</b>	<b>AMOUNT OF AWARD</b>	<b>AWARD BASIS</b>
<u>Bureau of Purchases</u>		
15. <u>MOTION INDUSTRIES, INC.</u>	<u>\$ 5,251.50</u>	<u>Low Bid</u>
Solicitation No. 07000 - Conveyor Replacement Belts - Department of Public Works - Req. No. R535729		
16. <u>KAIR, INC.</u>	<u>\$12,500.00</u>	<u>Low Bid</u>
Solicitation No. 07000 - Recon Scout Remote Cameras - Police Department - Req. No. R531109		
17. <u>HD SUPPLY</u>	<u>\$24,387.00</u>	<u>Low Bid</u>
Solicitation No. 07000 - Mechanical Joint Valves with Access - Department of Public Works - Req. No. R534718		
18. <u>BUREAU OF NATIONAL AFFAIRS, INC.</u>	<u>\$ 7,875.00</u>	<u>Sole Source</u>
Solicitation No. 08000 - Subscription Renewal for Legal Publications - Department of Housing and Community Development - Req. No. R532526		
The vendor is the sole provider and publisher for the legal publications, subscriptions, and reports needed.		
19. <u>PICORP, INC.</u>	<u>\$13,600.00</u>	<u>Low Bid</u>
Solicitation No. 07000 - Steel Containers - Fire Department - Req. No. R535585		
20. <u>UNDERWRITERS LABORATORIES</u>	<u>\$14,664.00</u>	<u>Low Bid</u>
Solicitation No. B50000814 - Cryptosporidium/Giardia Tests - Department of Public Works - Req. No. R535518		
21. <u>AUTOMATECH</u>	<u>\$ 21,384.00</u>	<u>Sole Source</u>
Solicitation No. 08000 - iFIX WebSpace Software and Support - Department of Public Works - Req. Nos. R534186 & R535650		

The vendor is the only authorized provider of this proprietary software for Maryland.

**MINUTES****INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS**

<b><u>VENDOR</u></b>	<b><u>AMOUNT OF AWARD</u></b>	<b><u>AWARD BASIS</u></b>
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Bureau of Purchases

## 22. SERVICE PARTS COMPANY

d/b/a PAPA AUTO PARTS	\$500,000.00	Increase
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Solicitation No. BP 03128 - Aftermarket Parts for Cars and Light Trucks - Department of General Services - Req. No. P506212

On June 11, 2003, the Board approved the initial award in the amount of \$1,450,000.00. Because of an increase in the agency's use of these parts, an increase in the amount of \$500,000.00 is necessary, making the award amount \$1,950,000.00.

**MWBOO GRANTED A WAIVER.**

## 23. DATA NETWORKS OF

AMERICA	\$ 26,439.00	Increase
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Solicitation No. 08000 - Internet Web Filter - State's Attorney's Office - Req. No. R534021

On January 28, 2009, the Board approved the initial award in the amount of \$10,069.00 for an updated filter and yearly maintenance service. The filter provided was inadequate to meet the needs of the State's Attorney's Office. Because the vendor erred in determining the required filter capacity, the vendor is allowing a full trade-in dollar amount for the old system.

It is hereby certified that the above procurement is of such a nature that no advantage will result in seeking nor would it be practical to obtain competitive bids. Therefore, pursuant to Article VI, Section 11 (d)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

**MWBOO GRANTED A WAIVER.**

**MINUTES****INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS**

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases

24. SHANNON-BAUM  
 SIGNS, INC. \$ 64,990.00 Increase  
 Solicitation No. B50000543 - "U" Channel Sign Posts -  
 Department of Transportation - Req. Nos. Various

On September 3, 2008, the Board approved the initial award in the amount of \$102,180.00. Because of an increase in usage an increase in the amount of \$64,990.00 is necessary, making the award amount \$167,170.00.

**MWBOO GRANTED A WAIVER.**

25. HD SUPPLY  
 WATERWORKS, LTD, \$ 0.00 Renewal  
 Solicitation No. B50000783 - Various Pipe Fittings -  
 Department of General Services - Req. No. R505554

On November 26, 2008, the Board approved the initial award in the amount of \$76,869.45. The award contained four 1-year renewal options at the sole discretion of the City. This is the first one-year renewal for the period November 26, 2009 through November 25, 2010.

**MWBOO GRANTED A WAIVER.**

26. SYSTEMS INTEGRATION, INC. \$ 28,310.53 Increase  
 Solicitation No. 08000 - IVR System Upgrades, Licenses and  
 Support - Department of Finance - P.O. P508519

On June 10, 2009, the Board approved the initial award in the amount of \$134,147.30. On July 1, 2009, the Board approved an increase in the amount of \$51,166.95. These upgrades, licenses and support for the Integrated Voice Recognition System for use by the Bureau of Revenue Collections are only available from the vendor. This increase in the amount of \$28,310.53 will make the total award amount \$213,624.78.

It is hereby certified that the above procurement is of such a nature that no advantage will result in seeking nor would it be practical to obtain competitive bids.

**MINUTES**

**INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS**

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

Therefore, pursuant to Article VI, Section 11 (d)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

- |   |              |         |
|---|--------------|---------|
| 27. FULL CIRCLE   | \$650,000.00 | Renewal |
| SOLUTIONS<br>Solicitation No. 08000 - Integrated Collection Systems, Upgrades, Licenses and Support Services - Department of Finance - Req. No. R536279 |              |         |

On December 5, 2007, the Board approved the initial award in the amount of \$1,229,282.00. On July 1, 2009, the Board approved an increase in the amount of \$150,000.00. Authority is requested to approve the final one-year renewal in the amount of \$650,000.00, for January 1, 2010 through December 31, 2010.

It is hereby certified that the above procurement is of such a nature that no advantage will result in seeking nor would it be practical to obtain competitive bids. Therefore, pursuant to Article VI, Section 11 (d)(i) of the City Charter, the procurement of the equipment and/or services is recommended.

- |   |              |          |
|---|--------------|----------|
| 28. RIS THE PAPER HOUSE   | \$200,000.00 | Increase |
| XPEDX<br>XEROX CORPORATION<br>LINDENMEYR MUNROE<br>FRANK PARSONS PAPER<br>UNISOURCE<br>Solicitation No. Provide Various Cuts, Types and Weights of Paper - Department of Finance - Req. No. P505134 |              |          |

On October 29, 2008, the Board approved the initial award in the amount of \$200,000.00. Authority is requested to increase the purchase order in the amount of \$200,000.00 for the second year of the initial term. The period of the renewal is October 29, 2009 through October 28, 2010.

**MWBOO GRANTED A WAIVER.**

**MINUTES****INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS**

<b><u>VENDOR</u></b>	<b><u>AMOUNT OF AWARD</u></b>	<b><u>AWARD BASIS</u></b>
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Bureau of Purchases

29. LINEBARGER, GOGGAN, BLAIR  
 AND SAMPSON, LLP, Revenue Contract Increase  
 Solicitation No. BP-06689 - Collection Services for Delinquent  
 Parking Fines, Fees and Penalties - Department of Finance -  
 Req. No. R536274

On December 6, 2006, the Board approved the initial award. The award contained two 1-year renewal options at the sole discretion of the City. This is a revenue contract with the potential collected revenues unknown at this time. However, the vendor will be entitled to a retainer fee of 20% of funds collected. On November 26, 2008, the Board approved the first renewal. This is the final renewal for the period December 6, 2009 through December 5, 2010.

**MBE:** JT Mitchell, LLC 3%

**WBE:** Law Office of Leronia Josey & Associates 3%

**MWBOO FOUND VENDOR IN COMPLIANCE.**

Department of General Services

30. BRYANT CONCRETE  
 CONSTRUCTION, INC. \$25,000.00 Low Bid  
 IC 519, Repairs to Footway at Municipal Employees Credit Union  
 Building, located at 401 E. Fayette Street

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts and extensions. Acting on behalf of the Honorable Mayor, in her absence, Mr. Edward J. Gallagher, Director of Finance **ABSTAINED** on item No. 2. The Comptroller **ABSTAINED** on item No. 29.

**MINUTES**Police Department - Grant Award Agreement and Expenditure of Funds**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a grant award agreement with the U.S. Department of Justice, Office of Justice Program, Bureau of Justice Assistance (BJA). The period of the agreement is April 1, 2009 through September 30, 2011. The Board is also requested to approve an expenditure of funds for a cash match from the Department's general funds account.

**AMOUNT OF MONEY AND SOURCE:**

\$ 86,747.05 - 1001-000000-2040-220100-604003 (General funds)  
86,747.05 - 4000-410810-2010-591600-604003 (BJA funds)  
**\$173,494.10**

**BACKGROUND/EXPLANATION:**

On October 6, 2009, the Department received a grant award, in the amount of \$86,747.05, from the BJA's Bulletproof Vest Grant Program. A cash match of \$86,747.05 is required from the Department's general funds account for a total amount of \$173,494.10.

This award will allow the Department to purchase bulletproof vests that are National Institute of Justice compliant. The grant award agreement is late because notification of the award was recently received.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant award agreement with the U.S. Department of Justice, Office of Justice Program, Bureau of Justice Assistance.

**MINUTES**

Police Department - Grant Award Agreement and  
Appropriation Adjustment Order

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a grant award agreement with the Governor's Office of Crime Control and Prevention (GOCCP). The period of the agreement is October 1, 2009 through September 30, 2010. The Board is also requested to approve an appropriation adjustment order to transfer appropriation from Program No. 2010 to Program No. 2020.

**AMOUNT OF MONEY AND SOURCE:**

Grant Award - \$70,970.00

Appropriation Adjustment Order

<u>Amount</u>	<u>From:</u>	<u>To:</u>
\$70,970.00	4000-400000-2010- 657700-600000 Federal Unallocated	4000-467510-2020-677900- 600000 Coverdell Formulary

**BACKGROUND/EXPLANATION:**

The Department has received a grant award, in the amount of \$70,970.00, from the GOCCP for the Paul Coverdell Forensic Sciences Improvement Grants Program. The GOCCP's grant program, "Crime Laboratory Enhancement", assists in developing and implementing strategies specifically intended to increase efficiency in the Department's Crime Laboratory.

The grant funds are necessary for training to maintain the existing accreditations and certifications, as well as equipment aimed at increasing the capacity of the Crime Lab's drug and trace vaults.

**MINUTES**

Police Department - cont'd

The grant award agreement is late because notification of the award was recently received.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant award agreement with the Governor's Office of Crime Control and Prevention. The Board also approved the appropriation adjustment order to transfer appropriation from Program No. 2010 to Program No. 2020.

**MINUTES**

Police Department - Grant Adjustment Notice

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize acceptance of a grant adjustment notice (GAN) from the Governor's Office of Crime Control and Prevention (GOCCP). The GAN will extend the period of the grant through December 31, 2009.

**AMOUNT OF MONEY AND SOURCE:**

No additional funds are requested.

**BACKGROUND/EXPLANATION:**

On September 10, 2008, the Board approved a one-year grant award agreement with the GOCCP, in the amount of \$132,018.00 for the "Cell Phone Tracking Enhancements Project".

The Cell Phone Tracking Enhancements Project improves public safety through the acquisition of equipment that enhances a tracking system used to solve violent crimes. The grant funds will be used to provide training and equipment.

The Department received a GAN from the GOCCP for a no-cost extension for the Cell Phone Tracking Enhancements Project. This GAN will extend the period of the agreement through December 31, 2009 to allow additional time for the hiring and procurement process.

The grant adjustment notice is late because it was recently received.

**APPROVED FOR FUNDS BY FINANCE****AUDITS NOTED THE TIME EXTENSION.**

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of a grant adjustment notice from the Governor's Office of Crime Control and Prevention.

**MINUTES**

Police Department - Notification of Grant Award

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize acceptance of a Grant Award from the Bureau of Justice Assistance (BJA), Byrne Competitive Grant, Award #2009-SC-B9-0130. The period of the grant award is August 01, 2009 through July 31, 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$375,776.00 - 4000-485110-5750-645400-600000

**BACKGROUND/EXPLANATION:**

The grant award will provide funding for the FY09 Crime Analysis Expansion Program.

The FY09 "Crime Analysis Expansion Program" funds serve as a support mechanism to the City's crime prevention and public safety strategy to stimulate economic growth through employment opportunities.

The "Crime Analysis Expansion Program" provides \$375,776.00 of additional funding for the Department's Tactical Analysis Unit for personnel by creating two new civilian Crime Analysts positions, purchase and installation of computer equipment, and travel expenses. This request is late due to required documentation just being received.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.**

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the Grant Award from the Bureau of Justice Assistance, Byrne Competitive Grant.

**MINUTES**

Police Department - Grant Award Agreement and  
Appropriation Adjustment Order

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a grant award agreement from the Department of Justice, Office of Justice Programs, National Institute of Justice (NIJ). In addition, the Board is requested to approve and authorize an Appropriation Adjustment Order (AAO) to transfer appropriation from Program No. 2010 to Program No. 2020. The period of the grant award is October 1, 2009 through September 30, 2010.

**AMOUNT OF MONEY AND SOURCE:**

Grant Award - \$113,000.00

Appropriation Adjustment Order

<u>Amount</u>	<u>From:</u>	<u>To:</u>
\$113,000.00	4000-400000-2010- 657700-600000 Federal Unallocated	4000-467010-2020- 671600-600000 Reconstituting Trace Analysis Project - Equi.

**BACKGROUND/EXPLANATION:**

The grant award will provide funding for the "Baltimore City's Reconstituting Trace Analysis Service Project" (FY09 Coverdell Competitive).

The NIJ awarded grant funding under Award# 2009-CD-BX-0098, for the award period of October 01, 2009 to September 30, 2010 to the Baltimore Police Department's Crime Laboratory. The purpose of the finding is to improve the quality and timeliness of forensic science and medical examiner services, and to eliminate backlogs in the analysis of forensic evidence, including controlled substances, firearms examination, forensic pathology, latent prints, questioned documents, toxicology, and trace evidence. This project will directly benefit the Crime Laboratory, as well as those who live and visit the Baltimore region through a reduction in crime.

**MINUTES**

Police Department - cont'd

This request is late because it was just received by the Department.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant award agreement from the Department of Justice, Office of Justice Programs, National Institute of Justice. The Board also approved and authorized the Appropriation Adjustment Order to transfer appropriation from Program No. 2010 to Program No. 2020.

**MINUTES**

Police Department - Grant Award Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a grant award agreement with the Department of Justice (DOJ), Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. The period of the agreement is October 1, 2009 through September 30, 2010.

**AMOUNT OF MONEY AND SOURCE:**

\$200,000.00 - 4000-465110-2250-671500-600000

**BACKGROUND/EXPLANATION:**

On September 21, 2009, the DOJ issued the award for the FY 09 "Baltimore City Juvenile Screening and Diversion Program" under Award No. 2009-JL-FX-0168.

The program will reduce juvenile recidivism by offering diversion services for youth 8 - 17 years of age, who have been arrested for non-violent offenses in Baltimore City. The Trained Diversion and Assessment Specialists who are located in the City's Juvenile Booking Facility will assess and provide referrals of eligible juveniles to the diversion programs. Under the terms of this grant award agreement, the funds will be used to hire two full-time and one part-time Diversion and Assessment Specialists, and to increase the availability of services through Baltimore City's Teen Court Program.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant award agreement with the Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

**MINUTES**

Police Department - Grant Award Agreement and  
Appropriation Adjustment Order

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a grant award agreement with Department of Justice (DOJ), Office of Justice Programs, National Institute of Justice. The period of the agreement is October 1, 2009 through March 31, 2011. The Board is also requested to approve an appropriation adjustment order to transfer appropriation from Program No. 2010 to Program No. 2020.

**AMOUNT OF MONEY AND SOURCE:**

Grant Award - \$438,696.00

Appropriation Adjustment Order

<u>Amount</u>	<u>From:</u>	<u>To:</u>
\$438,696.00	4000-400009-2010- 548000-600000 Federal Unallocated	4000-467210-2020-671700- 600000 FY09 DNA Backlog Reduction

**BACKGROUND/EXPLANATION:**

On September 22, 2009, the DOJ awarded the Department the "Baltimore City Police Department DA Backlog Reduction Program" under Award No 2009-DN-BX-K096.

Under the terms of this grant award agreement, the funds will be used to assist the Department's Crime Laboratory in reducing the forensic DNA backlog cases and samples turnaround time by maximizing its full potential of the DNA technology.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.**

**MINUTES**Police Department - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant award agreement with Department of Justice, Office of Justice Programs, National Institute of Justice. The Board also approved the appropriation adjustment order to transfer appropriation from Program No. 2010 to Program No. 2020.

**MINUTES****RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**

\* \* \* \* \*

On the recommendations of the City agencies  
hereinafter named, the Board

UPON MOTION duly made and seconded,  
awarded the formally advertised contracts  
listed on the following pages:

4420 - 4425

to the low bidders meeting the specifications,  
deferred action, or rejected bids on those as indicated  
for the reasons stated.

The Transfer of Funds was approved  
SUBJECT to receipt of favorable report  
from the Planning Commission,  
the Director of Finance having reported favorably  
thereon, as required by the provisions  
of the City Charter.

**MINUTES**

**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**

Department of Transportation

1. TR 10008, Reconstr. M.Luis Construction \$741,916.05  
of Alleys North Co., Inc.  
Southwest

**MBE:** AJO Concrete  
Construction, Inc. \$205,000.00 27.63%

**WBE:** Fallsway Constr.  
Company, LLC \$ 75,000.00 10.11%

**MWBOO FOUND VENDOR IN COMPLIANCE.**

2. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$469,726.73	9950-909200-9504	
State Constr.	Reserve - Constr.	
Loan	Alleys	
383,476.73	9950-909200-9504	
<u>Others</u>	Reserve - Constr.	
	Alleys	
<b>\$853,203.46</b>		
\$741,916.05	-----	9950-906434-9504-6
		Structure & Improv.
74,191.61	-----	9950-906434-9504-5
		Inspections
37,095.80	-----	9950-906434-9504-2
<u>\$853,203.46</u>		Contingencies
		Reconstruction of
		Alleys - North
		Southwest

This transfer will cover the costs associated with the award of Contract TR 01008 to M. Luis Construction Co., Inc.

**MINUTES**

**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**

Department of Transportation

3. TR 09003, Recon- M. Luis Construction \$876,980.35  
 struction of Co., Inc.  
 Footways, Citywide

**MWBOO FOUND VENDOR IN COMPLIANCE.**

**MBE:** Fallsway Construction \$239,000.00 27.35%  
 Co., LLC

**WBE:** Rowen Concrete, Inc. \$ 90,000.00 10.26%

4. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 512,440.00	9950-903300-9504	
State Constr.	Constr. Reserve	
Loan	Tree Root	
160,287.40	9950-904100-9504	
State Constr.	Reserve - Constr.	
Loan	Footways	
335,800.00	" "	
Others		
<b><u>\$1,008,527.40</u></b>		
\$ 876,980.35	-----	9950-908435-9504-6
		Structure & Improv.
87,698.04	-----	9950-908435-9504-5
		Inspections
43,849.01	-----	9950-908435-9504-2
<b><u>\$1,008,527.40</u></b>		Contingencies
		Reconstruction of
		Footways - Citywide

This transfer will cover the costs associated with the award of Contract TR 09003 to M. Luis Construction Co., Inc.

**MINUTES**

**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**

Bureau of Water and Wastewater

- 5. WC 1160R, Montebello Allan A. Myers, LP \$36,922,950.00  
 Plant 2 Finished  
 Water Reservoir  
 Cover

**MWBOO FOUND VENDOR IN COMPLIANCE. MWBOO SET GOALS OF 11% MBE AND 11% WBE.**

<b>MBE:</b>	G.E. Frisco Co., Inc.	\$ 750,000.00	2.03%
	Mohawk Bridge & Iron, Inc.	3,000,000.00	8.12%
	W. Concrete, Inc.	350,000.00	.95%
		<u>\$4,100,000.00</u>	<u>11.10%</u>

**WBE:** Rowen Concrete, Inc. \$4,100,000.00 11.10%

6. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$23,664,029.05	9960-904709-9558	
Revenue Bonds	Constr. Reserve	
	Montebello Covered	
	Water Reservoir	
17,739,805.00	" "	
Counties		
4,378,678.57	9960-907713-9558	
Revenue Bonds	Constr. Reserve	
	Towson Finished	
	Water Reserve Cover	
2,748,724.38	" "	
Counties		
<u>\$48,531,237.00</u>		

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

BW&WW - cont'd

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 3,692,295.00	-----	9960-904694-557-2 Extra Work
3,692,295.00	-----	9960-904694-557-3 Design
2,008,320.00	-----	9960-904694-557-5 Inspection
36,922,950.00	-----	9960-904694-557-6 Construction
<u>2,215,377.00</u>	-----	9960-904694-557-9 Administration
<b>\$48,531,237.00</b>		

This transfer will provide funds to cover the costs associated with the award of WC 1160R, Montebello Plant 2 Finished Water Reservoir Cover.

- 7. S.C. 852R, Denitri- Fru-Con Construc- \$115,688,000.00  
 fication Filters & tion Corp.  
 Related Work for the  
 Enhanced Nutrient  
 Removal Facilities  
 at Patapsco Wastewater  
 Treatment Plant

**MWBOO FOUND VENDOR IN COMPLIANCE. MWBOO SET GOALS OF 22% MBE AND 6% WBE.**

<b>MBE:</b> G.E. Frisco Co., Inc.	\$ 5,400,000.00	5.41%
JJ Adams Fuel Oil Co.	100,000.00	.10%
L & J Constr. Services., Inc.	1,200,000.00	1.20%
Mohawk Bridge & Iron, Inc.	4,670,000.00	4.68%

**MINUTES**

**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**

BW&WW - cont'd

<b>MBE:</b>	Native Sons, Ltd.	9,122,191.00	9.14%
	N L G Insulation, Inc.	35,550.00	.03%
	Spears Mechanical Contractors, Inc.	1,593,400.00	1.60%
	T R W Price Contractors, Inc.	<u>569,000.00</u>	<u>.57%</u>
	Total:	<b>\$22,690,141.00</b>	22.73%
<b>WBE:</b>	Abbey Enterprises, LLC	\$ 1,497,184.87	1.50%
	Bay Associates Environmental, Inc.	<u>5,000,000.00</u>	<u>5.01%</u>
	Total:	<b>\$ 6,497,184.87</b>	<b>6.51%</b>

8. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$114,225,703.68	9956-905528-9549	
State	Constr. Reserve	
	Patapsco WWTP	
	Biological Ni	
26,174,178.62	" "	
Counties		
12,308,277.70	" "	
Revenue Bonds		
<b>\$152,708,160.00</b>		
\$ 11,568,800.00	-----	9956-910533-9551-2
		Extra Work
11,568,800.00	-----	9956-910533-9551-3
		Engineering

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

BW&WW - cont'd

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
6,941,280.00	-----	9956-910533-9551-5 Inspection
115,688,000.00	-----	9956-910533-9551-6 Construction
6,941,280.00	-----	9956-910533-9551-9 Administration
<u>\$152,708,160.00</u>		

This transfer will provide funds to cover the costs associated with the award of SC 852R, Denitrification Filters and Related work for the Enhanced Nutrient Removal Facilities at the Patapsco Wastewater Treatment Plant.

Bureau of Purchases

9.	B50001236, Tow Chains and Cables, Assemblies and Tie-Downs	Fastenal	\$150,000.00
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**MWBOO GRANTED A WAIVER.**

10.	B50001178, Diesel Fuel for Generators	J.J. Adams Fuel Oil Company, LLC.	\$100,000.00
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MWBOO SET GOALS OF 7% MBE AND 0% WBE.

<p><b>MBE:</b> OMO Science, Energy &amp; Technology</p>	<p>7% (Requirements Contract)</p>
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**MWBOO FOUND VENDOR IN COMPLIANCE.**

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Amount</u>
<u>Baltimore Police Department</u>		
1. Nathan A. Warfield	International Affairs Training Seminar Las Vegas, NV Nov. 29 - Dec. 05, 2010 (Reg. Fee \$575.00)	\$ 2,071.20

**TRAVEL REIMBURSEMENT**Office of Councilman James B. Kraft

2. James B. Kraft	\$ 923.00
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Mr. Kraft traveled to Flintstone, Maryland to attend the Maryland Municipal League Fall Conference 2009. The conference dates were from October 22-24, 2009. The subsistence rate for this location is \$109.00 per day. The hotel rate \$163.00 per day, plus a \$25.60 occupancy tax, and \$3.00 for State Park fee. An additional \$108.00 is requested to cover the hotel expenses.

Transportation	\$ 125.40
Hotel	351.60
Registration	446.00
Total	<u>\$ 923.00</u>

**MINUTES**Baltimore City Public Schools - FY 2011-2016 Capital Improvement Program**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Baltimore City Public School System (BCPSS) FY 2011-2016 Capital Improvement Program, subject to approval by the Planning Commission and Board of Finance FY 2011-2016.

**AMOUNT OF MONEY AND SOURCE:**

FY 2011	FY 2011-2016
\$ 82,500,000.00 - State funds	\$869,000,000.00
20,000,000.00 - local funds	
<u>58,000,000.00 - Federal funds</u>	
<b>\$160,500,000.00</b>	

**BACKGROUND/EXPLANATION:**

The BCPSS requests approval of its FY 2011-2016 Capital Improvement Program in the amount of \$869,000,000.00, which will be used to support educational programs. Projects will include new construction, major renovations, additions, and a number of systemic improvements impacting City Schools' facilities.

Submitted is a summary of the City Schools FY 2011-2016 Capital Improvement Program (CIP) request for funding. It is an aggressive program request that is derived from the priorities established in the BCPSS 2009 Comprehensive Educational Facilities Master Plan and 2008-2009 Expanding Great Options Plan, both of which have been approved by the Board of School Commissioners. The Board of Estimates' support of this plan will assist the BCPSS' efforts to continue to provide enhanced learning environments as it continues to enhance educational opportunities.

MINUTES

FY 2011-2016 CAPITAL IMPROVEMENT PROGRAM  
BALTIMORE CITY PUBLIC SCHOOLS  
OCTOBER 8, 2009

PROPOSED FY 2011-2016 CIP	Prev.		FY 2011		FY 2012		FY 2013		FY 2014		FY 2015		FY 2016		Total	
	Avail.	Approp.	State	Local	State	Local	State	Local	State	Local	State	Local	State	Local		Federal
Leith Walk Elem/Mid Adm-Ren.	1,918	2,835	11,105	6,480	0	11,105	6,480	0	5,552	3,240	0	0	0	0	0	48,715
Waverly Elem/Mid Replacement	0	2,416	4,500	1,802	0	9,000	3,604	0	9,000	3,604	0	0	0	0	0	33,926
Benjamin Franklin HS Adm-Ren.	0	100	0	800	0	3,000	550	0	6,000	1,100	0	3,000	550	0	0	15,100
Lex. Ter./MLK Site New School Proposal	0	100	0	1,500	0	4,677	1,300	0	9,355	2,600	0	9,355	2,913	0	0	31,200
To Be Determined Stimulus Projects	0	0	0	0	0	0	58,100	0	0	0	0	0	0	0	0	116,200
Community School Renovations	0	0	0	500	0	0	500	0	0	500	0	0	500	0	0	3,000
Systemic Improvements FY 2011	0	0	66,916	8,918	0	0	0	0	0	0	0	0	0	0	0	75,834
Systemic Improvements FY 2012	0	0	0	70,000	7,566	0	0	0	0	0	0	0	0	0	0	77,566
Major Renovations FY 2012	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Systemic Improvements FY 2013	0	0	0	0	0	0	70,000	5,456	0	0	0	0	0	0	0	75,456
Major Renovations FY 2013	0	0	0	0	0	0	11,000	3,500	0	0	0	0	0	0	0	14,500
Systemic Improvements FY 2014	0	0	0	0	0	0	0	0	70,000	5,637	0	0	0	0	0	75,637
Major Renovations FY 2014	0	0	0	0	0	0	0	44,000	11,000	0	0	0	0	0	0	55,000
Systemic Improvements FY 2015	0	0	0	0	0	0	0	0	0	0	0	70,000	8,500	0	0	78,500
Major Renovations FY 2015	0	0	0	0	0	0	0	0	44,000	11,000	0	0	0	0	0	55,000
Systemic Improvements FY 2016	0	0	0	0	0	0	0	0	0	0	0	0	70,000	8,500	0	78,500
Major Renovations FY 2016	0	0	0	0	0	0	0	0	0	0	0	44,000	11,000	0	55,000	
<b>Totals</b>	<b>1,918</b>	<b>5,451</b>	<b>82,521</b>	<b>20,000</b>	<b>58,100</b>	<b>97,782</b>	<b>20,000</b>	<b>110,907</b>	<b>126,355</b>	<b>20,000</b>	<b>0</b>	<b>114,000</b>	<b>20,000</b>	<b>0</b>	<b>114,000</b>	<b>881,765</b>

Total Local: 120,000,000  
Total State: 645,565,000  
Total Federal: 116,200,000

**MINUTES**

Department of Planning - Baltimore City Public Schools Capital Improvement Program for FY 2011-2016

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Baltimore City Public School System (BCPSS) Capital Improvement Program for FY 2011-2016.

**AMOUNT OF MONEY AND SOURCE:**

\$20,000,000.00 - General Obligation Funds FY 2011

**BACKGROUND/EXPLANATION:**

On October 8, 2009, the Planning Commission approved the Baltimore City Public Schools (BCPS) Capital Improvement Program (CIP) for Fiscal Years 2011 - 2016, with the recommendation that the program come back to the Commission in Spring 2010 for review of final budget adjustments. This is required to review the necessary adjustments to State funding and corresponding City projects after the General Assembly completes their budget.

This year's CIP submission reflects a commitment to ongoing capital improvement projects and a concerted effort to remedy the history of deferred maintenance in City schools. This year's program is heavily systemic but also includes five significant renovation/addition projects. In addition, this program is intended to leverage City funds for a very large request, \$82,500,000.00 in State dollars. The total request for FY 2011 is \$102,521,000.00 of which \$20,000,000.00 in City G.O. Bond funds. This year's capital requests fall into three categories: construction of planned major additions/renovations, community schools improvements and systemic improvements.

In addition to the funding described above the BCPSS has been awarded an additional \$116,000,000.00 over 2009-2010 in federal stimulus bond funds. These funds will flow directly to the BCPSS and go towards a variety of priority projects, allowing the BCPSS to get more work done with the local and State funds that are part of this CIP package. The BCPSS Board of School Commissioners approved the spending plan for these stimulus funds at its October 27, 2009 Board meeting.

**MINUTES**

Department of Planning - cont'd

UPON MOTION duly made and seconded, the Board approved the Baltimore City Public School System Capital Improvement Program for FY 2011-2016.

**MINUTES**

Board of Finance - Baltimore City Public School System  
Capital Improvement Program,  
FY 2011 - 2016

**ACTION REQUESTED OF B/E:**

The Board is requested to endorse the Baltimore City Public School System (BCPSS) Fiscal year 2011-2016 Capital Improvement Program (CIP).

**BACKGROUND/EXPLANATION:**

Procedures for administration of the school capital program require that the BCPSS submit annually an updated detailed capital program for the upcoming year and ensuing five fiscal years to the State Interagency Committee on School Construction. As a condition of receiving State school construction aid, the BCPSS is required to submit the CIP on or before December 7<sup>th</sup> of each year.

This action requires approval of this program by the appropriate local governing body. As a condition of gaining approval of this local government, a review process has been established that includes the School Board, Planning Commission, Board of Finance, and the Board of Estimates, to serve as the means by which the Mayor will support and endorse the program.

The Board of Finance, at a scheduled meeting on October 26, 2009 considered and endorsed the FY2011-16 CIP totaling \$881,765,000.00. The CIP includes \$120,000,000.00 in City bond funds and \$116,200,000.00 in stimulus bonds and \$645,565,000.00 in State funds. Annual program distributions are as follows:

**BCPSS Fiscal Year 2011 - 2016**  
**Capital Improvement Plan (\$000)**

<b>Source/FY</b>	<b>Fiscal 2011</b>	<b>Fiscal 2012</b>	<b>Fiscal 2013</b>	<b>Fiscal 2014</b>	<b>Fiscal 2015</b>	<b>Fiscal 2016</b>	<b>Total</b>	<b>Annual Average</b>
<b>City</b>	20,000	20,000	20,000	20,000	20,000	20,000	120,000	20,000
<b>Stimulus</b>	58,100	58,100	-	-	-	-	116,200	19,367
<b>State</b>	82,521	97,782	110,907	126,355	114,000	114,000	645,565	107,594
<b>Total</b>	160,621	175,882	130,907	146,355	134,000	134,000	881,765	146,961

**MINUTES**

Board of Finance - cont'd

UPON MOTION duly made and seconded, the Board endorsed the Baltimore City Public School System Fiscal year 2011-2016 Capital Improvement Program. The President **ABSTAINED**.

**MINUTES**

Office of the Labor Commissioner - Addendum Agreement  
Local 964 and Local 734

**ACTION REQUESTED OF B/E:**

The Board is requested to **NOTE** receipt of an addendum agreement to the Memorandum of Understanding (MOU) for FY 2010 and FY 2011 with the Baltimore Fire Officers, Local 964 IAFF, and Baltimore Fire Fighters, Local 734 IAFF.

**AMOUNT OF MONEY AND SOURCE:**

The salaries for the Fire Officers and the Fire Fighters will remain the same for FY 2010 and 2011. Five furlough days will be taken by members of the bargaining unit for FY 2010. If other bargaining units accept furloughs for FY 2011, the bargaining unit agrees to a comparable reduction up to five days.

**BACKGROUND/EXPLANATION:**

This document is a negotiated agreement between the Baltimore Fire Officers, Local 964, IAFF and Baltimore Fire Fighters, Local 734, IAff regarding furlough days.

The MOU for Fiscal Year 2010 and Fiscal 2011 reflecting negotiated terms and conditions of employment, as well as those resulting from the arbitration award, will be submitted at a later date.

President: "The next non-routine item is the Addendum to the Agreement for Local 964 and Local 734 on Page 117. Good Morning."

Ms. Deborah Moore-Carter, Labor Commissioner: "After negotiations with AFSME and CUB regarding the furlough days, the

**MINUTES**

Labor Commissioner - cont'd

Office of the Labor Commissioner and the Fire Department met with the Fire Unions to bargain in good faith to have them accept the furlough days. A part of our responsibility in bargaining in good faith is to provide the Unions with the information that's needed so that they can make an appropriate decision. In my opinion, that was done. What you see before you today on Page 117 are the results of those negotiations and our agreements with the Unions, after ratification by their membership."

Mr. Robert Sledgeski, President, Firefighter's Union: "Just this week, I believe Monday, the Department sent out a notification that they were going to start funding additional medic units or medic type units in the Fire Department for approximately 13 hours a day. If those units are staffed the rest of the year, rough numbers would indicate that that is an expense of about \$600,000.00 to \$700,000.00. Five weeks ago the Department was on the verge of bankruptcy and now all of a sudden, today we are supposed to sign an agreement or the Board of Estimates approve this agreement, we have found \$600,000.00 to \$700,000.00. It appears it comes from the medical billing from our medic units.

**MINUTES**

Labor Commissioner - cont'd

During the discussions with the City and the Department, we very specifically asked about that fund and we were told that they expected to be lucky to even meet their target. Now, it is projected that they are not only going to meet their target, they are going to exceed it and have extra money. They are also going to increase the amount they charge people. We are not sure where all this will lead. We just wanted to put it on the record. It is amazing that the sky seemed to open up in the last five weeks -- that it wasn't revealed to us. We made an agreement in good faith and even if this money was found two weeks ago, we think it was incumbent on the City to come to us and say, "Well, what we told you five weeks ago has changed and before we go forward with this process, we wanted to let you know that. That has not been done. We have had no further discussions with the City about this found money. We think it is sort of unfair to our members."

Mr. Stephan Fugate, President, Fire Officers' Union: "The only thing I would add is that, regardless of the actions of the Board today, we would like to have access to the accounting mechanisms and how it is that this new found money apparently

**MINUTES**

Labor Commissioner - cont'd

became new found. That information was not imparted to us previously. Thank you very much."

Mr. Clack, Fire Chief: "We have not found a bunch of money. What's happened in the past couple of weeks, in fact just last week, I got my first financial projection for how we were doing against our budget this year. The little glimmer of hope in our otherwise very dismal budget picture is that the EMS Special Fund Revenue is on target, it possibly will exceed the target a little bit. Along with that operationally today, we have got a huge issue and that is the issue of medic units taking quite a while to get to patients. This is not the issue of Firefighters getting there on time. It is the transport unit getting there. I think the Board and others have seen on news reports lately about this issue. Operationally, for public safety, I have to do something to address that. So, we decided to go back to a policy that has been in place off and on for several years and that is to staff two peak-time medic units during the time of the day when we are the busiest. That is between 9:00 a.m. and 10:00 p.m. If the financial picture does not does not pan out the way we think it will -- if things get worse, we are going to

**MINUTES**

Labor Commissioner - cont'd

have to stop doing these peak-time units. This is not \$600,000.00 or \$700,000.00 of our own money. This is about \$100,000.00 of money I want to spend between now and the end of the year to address a public safety issue. We are coming into the flu season, possibly a pandemic flu season. We have got to provide good public safety through this time. Again, I -- as soon as we found out last week and we talked about it at CitiStat on Friday, the issue of the revenue outlook. On Monday I sent both these gentlemen from the Union a notice that I was going to do this. I think they would have to agree that I have been very, very transparent with my budget. In fact, we have sat down with both these gentlemen and went through it line by line. They probably know my budget better than any other Union Presidents have in history. They know every dollar and where it's going. I don't have any problems with showing them the latest budget information and I think we have procedures in place to do that. They are getting my overtime reports. They are getting everything. So, I am a little offended, quite frankly, that they are standing in front of you telling that they didn't know. They know everything."

**MINUTES**

Labor Commissioner - cont'd

President: "Are there any questions? Are there any other comments? Is there a MOTION?"

City Solicitor: "I move the approval of the agreement that is described on Page 117 of the agenda, having previously been approved by the membership of both Unions. Just with a comment that it seems apparent to me that the Chief and the Head of any agency that has been involved in labor negotiations needs to be able to respond to needs for enhanced services within his limited budget. I hope he is not constrained, going forward."

Director of Public Works: "Second."

President: "All those in favor, say AYE. All opposed. Motion carries and the item has been approved. Are there any other announcements? As there is no more business before the Board, the meeting will recess until 12:00 Noon. Thank you very much."

\* \* \* \* \*

**MINUTES**

Department of Housing and Community - Three Month Advance of  
 Development/Baltimore Homeless Funds  
 Services (BHS)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a three-month funding advance with the various service providers. The fund advance is for the period October 1, 2009 through January 31, 2010.

**AMOUNT OF MONEY AND SOURCE:**

\$ 11,250.00 - Women's Housing Coalition  
 30,000.00 - Carole Friess Center  
 30,000.00 - Maryland Center for Arts & Technology  
 30,000.00 - Harbor City Services, Inc.  
 30,000.00 - Center for Urban Families  
 30,000.00 - Jump Start/Job Opportunity Task Force  
 12,500.00 - Neighborhood Housing Service of Baltimore  
 21,250.00 - Barclay Deconstruction  
 22,500.00 - Seedco, Inc.  
 22,500.00 - PACT  
 22,500.00 - AIRS/City Steps  
 26,250.00 - Franciscan Center  
 30,000.00 - Govans Ecumenical Development Corporation  
 31,250.00 - Tuerk House  
 30,000.00 - Esperanza/Catholic Charities  
 25,373.00 - Bons Secours of Maryland Foundation  
 20,000.00 - Group Ministry, Inc.  
 31,250.00 - Coalition to End Childhood Lead Poisoning  
 20,000.00 - BWI Partnership  
 13,590.00 - Action in Maturity  
\$490,213.00 - 4000-585210-5750-649800-603051

**BACKGROUND/EXPLANATION:**

The advance funding is needed to bridge time between the start of the award date of October 1, 2009 and the execution of the contracts. The funding is provided through the Community Service Block Grants under the American Recovery and Reinvestment Act of 2009.

**MINUTES**

BHS - cont'd

The purpose of the grants is to allocate resources in a manner to focus on activities that will primary benefit low-to-moderate income persons, preserve and/or create jobs, assist those most impacted by the recession, invest in long-term economic enhancement and stabilize State and local government budgets.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the three-month funding advance with the aforementioned service providers.

**MINUTES**

Department of Audits - Status Report on the Audit of the Liquor Board for Fiscal Years ending 2005, 2006 and 2007

---

On September 2, 2009, the Department of Audits presented its audit of the Board of Liquor License Commissioners for Baltimore City (Liquor Board), for fiscal years ending 2005, 2006 and 2007, to the Board of Estimates. The Board requested then that the Liquor Board report back to the Board on October 7, 2009 for a Status Report on the two audit findings and recommendations presented in the audit report.

The Liquor Board is to provide a Status Report to the Board after it meets with representatives of the Office of the Labor Commissioner, the Department of Law, the Department of Human Resources, and the Department of Finance, Bureau of Accounting and Payroll Services.

The Liquor Board requested two three-week extensions to November 18, 2009, which were approved by the Board on October 7, 2009 and October 28, 2009. The Liquor Board has stated that it is prepared to report to the Board on November 18, 2009.

The Board **NOTED** receipt of the status report on the audit of the Liquor Board for Fiscal Years ending 2005, 2006, and 2007.

**MINUTES****PROPOSALS AND SPECIFICATIONS**

There being no objections, the Board, UPON MOTION duly made and seconded, approved the following Proposals and Specifications to be advertised for receipt and opening of bids on the dates indicated:

- |                                     |   |
|-------------------------------------|---|
| <u>Department of Transportation</u> | - TR 05314, Resurfacing Wilkens Avenue from 450 West of Brunswick Street to Fulton Avenue<br><b><u>BIDS TO BE RECV'D: 12/16/2009</u></b><br><b><u>BIDS TO BE OPENED: 12/16/2009</u></b> |
| <u>Department of Transportation</u> | - TR 09004, Reconstruction of Footways Citywide<br><b><u>BIDS TO BE RECV'D: 12/16/2009</u></b><br><b><u>BIDS TO BE OPENED: 12/16/2009</u></b>   |
| <u>Department of Transportation</u> | - TR 08304, Resurfacing Kane Street from Pratt Street to North Point Boulevard<br><b><u>BIDS TO BE RECV'D: 12/16/2009</u></b><br><b><u>BIDS TO BE OPENED: 12/16/2009</u></b>            |
| <u>Department of Transportation</u> | - TR 08318, Installation of Fiber Optic & Copper Communication Systems Citywide (JOC)<br><b><u>BIDS TO BE RECV'D: 12/16/2009</u></b><br><b><u>BIDS TO BE OPENED: 12/16/2009</u></b>     |
| <u>Department of Transportation</u> | - TR 08316, Construction of CCTV Cameras and Signal Rewiring Citywide (JOC)<br><b><u>BIDS TO BE RECV'D: 12/16/2009</u></b><br><b><u>BIDS TO BE OPENED: 12/16/2009</u></b>               |

**MINUTES**

**PROPOSALS AND SPECIFICATIONS** - cont'd

Department of Recreation  
and Parks

- RP 09818, Gwynns Falls Entrance  
to Druid Hill Park

**BIDS TO BE RECV'D: 12/23/2009**

**BIDS TO BE OPENED: 12/23/2009**

**MINUTES****ACKNOWLEDGEMENT**

City Solicitor: "Madam President, if I could, just for a minute. I would like to commend three members of the Law Department for their roles in three of the items that were approved."

President: "Of course."

City Solicitor: "Matthew Nayden, for his work with Jamie Kendrick and his work and the Department of Transportation on the CS Bridge agreements. Jamie Kendrick was quoted in this morning's paper as saying that, 'those agreements involved a myriad of details and many lawyers'. I am not sure how to take that. But, his lawyer, at least, did an exceptional job. Cheryl Wilson of the Law Department, who worked on the interesting problem of a piece of property in Baltimore County where a lovely home was built, mistakenly, on City territory. Last, but certainly not least, Drew Bailey for his terrific work in resolving issues with the Weinberg Foundation over the value of the properties on the west side. All three did a terrific job."

President: "Thank you very much."

**MINUTES****BIDS, PROPOSALS, AND CONTRACT AWARDS**

Prior to the reading of the bids scheduled to be received and opened today, the Clerk announced that the following bureau had issued addenda extending the dates for receipt and opening of bids on the following contracts. There were no objections.

Bureau of Water and Wastewater -SC 849, Locust Point Wastewater Pumping Station force Main Replacement  
**BIDS TO BE RECV'D: 11/25/2009**  
**BIDS TO BE OPENED: 11/25/2009**

Bureau of Water and Wastewater -WC 1194, Montebello Filtration Plants Chemical Feed Improvements  
**BIDS TO BE RECV'D: 12/09/2009**  
**BIDS TO BE OPENED: 12/09/2009**

CLERK: "The Board is now in session for the receiving and opening of bids."

**MINUTES**

Department of General Services - PB 08832, Abel Wolman Masonry  
Repairs

Graciano Corporation  
 Structural Preservation Systems  
 Eastern Waterproofing & Restoration Co., Inc.  
 Atlantic Refinishing & Restoration  
 OMF Contractors, Inc.  
 Maymore Hill Restoration, Inc.  
 Simpson of Maryland, Inc.  
 CA Lindman, Inc.

Bureau of Water and Wastewater - SC 856, Improvements to Herring  
Run Interceptors

Spiniello Companies  
 Metra Industries\*  
 Reynolds Inliner, LLC

\*UPON FURTHER MOTION duly made and seconded, the Board declared the bid of Metra Industries **IRREGULAR** due to the company's failure to submit the complete original contract book as required by the contract specifications.

Bureau of Purchases - B50001232, Provide Tree Care  
Supplies

**NO BIDS RECEIVED**

**MINUTES**Bureau of Purchases

- B50001249, Qualification for  
Printing Services

Printing Matters  
OmniForm, Inc.  
Uptown Press, Inc.  
Mount Vernon Printing  
H&N Printing & Graphics  
The Standard Register Co.  
Mount Royal Printing Co., Inc.  
Worth Higgins & Associates  
Katon Printing Corporation  
Ridge Printing Corporation

Bureau of Purchases

- B50001251, Parking Meter Coin  
Collection Services

Lanier Parking Solutions  
SERCO, Inc  
Republic Parking System, Inc.  
LAZ Parking Mid-Atlantic, LLC

**MINUTES**

There being no objections, the Board UPON MOTION duly made and seconded, the Board adjourned until its next regularly scheduled meeting on Wednesday, November 25, 2009.

JOAN M. PRATT  
Secretary